

of Immigration relating to amendments to the Chinese-exclusion acts—to the Committee on Foreign Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting, with the draft of a bill, copy of a letter from the Commissioner-General of Immigration relating to the amendment of laws relating to deportation of Chinese—to the Committee on Foreign Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 3481) to permit certain burials of the dead in the lands of the Protestant Episcopal Cathedral Foundation of the District of Columbia, and for other purposes, reported the same without amendment, accompanied by a report (No. 2905); which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. STEPHENS of Texas: A bill (H. R. 14216) to supplement existing laws relative to the disposition of lands in Oklahoma Territory—to the Committee on the Public Lands.

By Mr. McCLEARY: A bill (H. R. 14217) for the purchase of a bronze replica of the Vendome statue of General Rochambeau—to the Committee on the Library.

By Mr. BROWNLOW: A bill (H. R. 14218) to empower the Secretary of War to set aside a part of each national cemetery in the United States for the burial of deceased enlisted men and their wives—to the Committee on Military Affairs.

By Mr. HENRY of Connecticut: A bill (H. R. 14219) to revise the patent laws relating to assignments—to the Committee on Patents.

By Mr. KING: A bill (H. R. 14220) for the repeal of an act to provide ways and means to meet war expenditures, and for other purposes, approved June 13, 1898—to the Committee on Ways and Means.

By Mr. TONGUE: A resolution (H. Res. 419) to print hearings before the Committee on Irrigation of Arid Lands—to the Committee on Printing.

By Mr. GAMBLE: A resolution of the legislature of South Dakota, favoring the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. GILBERT: A bill (H. R. 14221) granting an increase of pension to Allen Demaree—to the Committee on Pensions.

By Mr. GRIFFITH: A bill (H. R. 14222) granting an increase of pension to Elihu Wheeler—to the Committee on Invalid Pensions.

By Mr. LONG: A bill (H. R. 14223) granting an increase of pension to Almond Partridge—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 14224) granting an increase of pension to William H. H. Adams—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 14225) for the relief of Capt. J. E. Turtle—to the Committee on Claims.

By Mr. DOVENER: A bill (H. R. 14226) granting a pension to Mary E. Frankland—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARTHOLDT: Petition of citizens of New Haven, Mo., favoring the repeal of the tax on bank capital and stamp tax on checks, drafts, etc.—to the Committee on Ways and Means.

Also, petition of R. C. Kerens and others, praying for passage of Senate bill No. 4830, to correct the military record of Ira J. Paxton—to the Committee on Military Affairs.

By Mr. BURLEIGH: Petition of citizens of East Jefferson, Me., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. BURKETT: Resolutions of the Commercial Club of Omaha, Nebr., favoring appropriations for surveys, dams, and canals throughout the great West—to the Committee on Irrigation of Arid Lands.

By Mr. S. A. DAVENPORT: Petition of Julia M. Turner and

Margaret E. Hodge, favoring the passage of the Gillett bill for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

Also petition of Mrs. Cyrus D. Foss and others, in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

By Mr. GIBSON: Petition of William Cecil, to accompany House bill to remove the charge of desertion from his military record—to the Committee on Military Affairs.

By Mr. GILLETT of Massachusetts: Petition of Woman's Christian Temperance unions of New Mexico and Indian Territory, urging the passage of House bill No. 12551, for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRAHAM: Petition of John C. Scales, Washington, D. C., for the repeal of the stamp tax on checks, etc.—to the Committee on Ways and Means.

By Mr. JONES of Washington: Petition of Woman's Christian Temperance Union of Walla Walla, Wash., favoring the passage of the Gillett bill, for the protection of native races in our islands against intoxicants and opium—to the Committee on Insular Affairs.

By Mr. LLOYD: Petition of E. Peterman and 15 others, of the State of Missouri, asking that the Missouri State Militia be declared pensionable—to the Committee on Invalid Pensions.

By Mr. McRAE: Affidavit of John A. Pullen to accompany House bill No. 12589, for the relief of Lucinda E. Howard—to the Committee on Invalid Pensions.

By Mr. MERCER: Resolutions of the Commercial Club of Omaha, Nebr., for the reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. MIERS of Indiana: Petition of Mary E. Adams, guardian of William H. H. Adams, of Company F, Eighty-fourth Regiment Ohio Infantry Volunteers, for increase of pension for William H. H. Adams—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: Petition of citizens of Fort Lupton, Colo., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. YOUNG: Petition of John C. Scales, of Washington, D. C., for the repeal of stamp tax on checks, drafts, etc.—to the Committee on Ways and Means.

SENATE.

MONDAY, February 18, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The PRESIDENT pro tempore resumed the chair.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. HANSBROUGH, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

EXCLUSION OF CHINESE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Commissioner-General of Immigration requesting amendatory legislation to the Chinese exclusion acts, for the purpose of requiring steamship companies bringing Chinese persons to ports of the United States to return any that may be rejected by the appropriate officials to China, or to the country of which they may be citizens or subjects, etc.; which, with the accompanying papers, was referred to the Committee on Foreign Relations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Commissioner-General of Immigration requesting amendatory legislation to the Chinese exclusion acts for the purpose of authorizing Chinese and immigrant inspectors to make summary arrests of Chinese believed by them to be unlawfully in this country, etc.; which, with the accompanying papers, was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. PETTIGREW. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Dillingham,	Lindsay,	Rawlins,
Allison,	Dolliver,	Lodge,	Scott,
Berry,	Foster,	McCumber,	Shoup,
Burrows,	Frye,	McEnery,	Teller,
Butler,	Gallinger,	Money,	Tillman,
Carter,	Hale,	Nelson,	Turley,
Chandler,	Hansbrough,	Perkins,	Vest,
Clapp,	Harris,	Pettigrew,	Warren,
Clay,	Heitfeld,	Pettus,	Wolcott.
Cockrell,	Jones, Ark.	Platt, N. Y.	
Cullom,	Kean,	Proctor,	
Deboe,	Kyle,	Quarles,	

The PRESIDENT pro tempore. Forty-five Senators have responded to their names on the roll call. There is a quorum present.

ENROLLED BILLS SIGNED.

The PRESIDENT pro tempore announced his signature to the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

- A bill (S. 854) for the relief of Lieut. Horace P. McIntosh;
- A bill (S. 5023) to extend the privileges of the seventh section of the immediate-transportation act to New Bedford, Mass.;
- A bill (S. 5364) to establish a light and fog station at Point Dume, Los Angeles County, Cal.;
- A bill (S. 5404) to extend the privileges provided by an act entitled "An act to amend the statutes in relation to the immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880, as amended;
- A bill (S. 5814) to authorize the Louisville and Nashville Railroad Company to construct, maintain, and operate a bridge across the Choctawhatchee River at Geneva, Ala.;
- A bill (H. R. 3204) to refer certain claims for Indian depredations to the Court of Claims; and
- A bill (H. R. 6240) for the preparation of plans or designs for a memorial or statue of Gen. Ulysses S. Grant on ground belonging to the United States Government in the city of Washington, D. C.

WARRIOR RIVER BRIDGE.

Mr. VEST. Mr. President, Saturday evening the Senate passed the bill (H. R. 11110) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Warrior River, between the counties of Walker and Jefferson, in section 35, township 17, range 7 west, Alabama, and the bill was amended by putting in a repealing clause. I was under the impression at the time that the repealing clause was in the bill, but it was passed in a great hurry. I now find that the Senate has duplicated the clause.

In order to strike out one of the repealing clauses and pass the bill, I move to reconsider the votes by which it was ordered to a third reading and passed. I shall move to strike out the repealing clause that the Senate inserted; otherwise the bill will go back to the House of Representatives in that form.

The PRESIDENT pro tempore. The bill has not gone to the House?

Mr. COCKRELL. It has not gone to the House.

Mr. VEST. It has not gone to the House. That is the reason why I make the motion to reconsider now.

The PRESIDENT pro tempore. The Senator from Missouri moves that the votes by which this bill was ordered to a third reading, read the third time, and passed be reconsidered. Without objection, it is so ordered. The Senator from Missouri moves to strike out the last section.

Mr. PETTIGREW. What is the bill?

Mr. VEST. It is a bill authorizing a bridge in Alabama.

Mr. PETTIGREW. I do not know but that this bridge bill is all right, but we passed a bridge bill some days ago which contained the usual clause with regard to crossing by other roads. The House passed a similar bill, or it was so reported, leaving out those provisions. The committee reported back the House bill at once and passed it with that clause stricken out which the Senate seems to insist upon. I presume the committee did not examine it, and the Senate was assured that it was in the usual form. I should like to know whether this bill is in the usual form or not. Have the committee examined it, so that they know?

Mr. VEST. I have.

Mr. PETTIGREW. Does it contain the provision with regard to protecting the rights of other companies and of the Government?

Mr. VEST. It contains all the provisions that are necessary. I have examined it critically.

Mr. PETTIGREW. If the Senator can assure me that he has personally examined it critically, I shall not inquire further.

Mr. VEST. I have.

Mr. PETTIGREW. But I wish to call attention to the fact that Senate bill 5395 passed the Senate granting to the New Jersey Railroad and Canal Company and the Philadelphia and Trenton Railroad Company, or their successors, the right to cross the Delaware River. That bill contained the usual clauses. But the House also passed a bill giving this company the right to cross the Delaware River and their bill did not contain these clauses. After the bill had passed the House it came here and it was passed by the Senate on the 7th of this month.

Mr. HALE. Without adding the clauses?

Mr. PETTIGREW. Without adding the clauses. It was referred to the committee of this body on the 5th of this month and was reported back on the 7th and passed, and on the same day the Senate bill was recalled from the House. Thus legislation was secured which gives this company privileges not granted to any other.

Mr. VEST. The Senator is mistaken. The bill was not recalled from the House. I will state the parliamentary history of that measure in a very few words.

The bill to which he refers was a Senate bill introduced by the senior Senator from New Jersey [Mr. SEWELL]. It was sent, under the rule of the Commerce Committee, to the Bureau of Engineers, or, rather, speaking more accurately, to the War Department. They reported the bill as correctly framed back to the Commerce Committee without the clause to which the Senator refers in regard to the privilege of other roads to use the bridge. As chairman of the subcommittee on bridges of the Commerce Committee of the Senate, I put the usual amendment upon it giving to other roads the privilege of using the bridge. The bill was then passed by the Senate as amended.

Mr. PETTIGREW. Now, I wish to call the Senator's attention—

Mr. VEST. It was sent to the House of Representatives, and the House of Representatives instead of taking up the Senate bill passed an original House bill and sent it back to the Senate without the clause. I then declined to recommend the bill to the full committee of the Senate without that clause and submitted the question to the full committee, and the full committee directed the senior Senator from Pennsylvania [Mr. PENROSE] to report the bill without the amendment. That is the history of it exactly.

Mr. PETTIGREW. And it was reported on the 7th of this month and passed.

Mr. VEST. Well, I had nothing to do with that.

Mr. PETTIGREW. It was passed without that provision.

Mr. VEST. I had nothing to do with that. I insisted that the amendment should be upon the bill, and I never have changed my opinion.

Mr. PETTIGREW. Then, Mr. President—

Mr. VEST. I never reported it. It was reported by the senior Senator from Pennsylvania.

Mr. PETTIGREW. The bill passed on the 7th, and the same day a resolution was passed through the Senate recalling the Senate bill from the House.

Mr. VEST. I have no recollection of that.

Mr. PETTIGREW. So that company secures the legislation it wants without the restriction generally imposed.

Mr. HALE. Let me ask the Senator what reasons were given in that case why the customary clause, which we always, as far as I know, do put on, was not put on the bill?

Mr. VEST. The senior Senator from New Jersey [Mr. SEWELL], when the bill came back from the House, appeared before the full Committee on Commerce of the Senate and stated that the bridge was above navigation; that it was simply to meet the necessities of a cut-off, as he expressed it, across the river, and that no other road could use it, and they did not propose, if they could help it, to have any electric road use it. His argument seemed to be satisfactory to the majority of the Senate committee.

Mr. HALE. Was it, then, a bridge over a nonnavigable river?

Mr. VEST. It was above navigation on the Delaware River—so the senior Senator from New Jersey stated.

Mr. HALE. It was on that ground that the exception was made?

Mr. VEST. Yes, sir. I thought the amendment ought to go in anyway, but I was overruled and I did not report the bill. I requested that the junior Senator from Pennsylvania should report it.

Mr. PETTIGREW. The Senate did pass the original bill with that provision included?

Mr. VEST. It did. I put in that provision after the bill came from the Bureau of Navigation.

Mr. PETTIGREW. The House passed a bill without that provision, and the Senate afterwards recalled its bill. It looks to me as though it was an effort to avoid the law and give to this company special privileges not granted to others.

Mr. VEST. I have no recollection about the recall of the bill, but the Senator can look in the RECORD to see whether my recollection is correct. My recollection is that the House passed an original bill and sent it here without paying any attention to the Senate bill.

Mr. PETTIGREW. If the Senator will examine the RECORD of February 7 he will find that a resolution was passed recalling the Senate bill from the House.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Missouri, that the bill he has indicated be amended as he has suggested?

Mr. BUTLER. Mr. President, I do not object to that request, because I think the amendment ought to be made.

In this connection I wish to say again what I referred to briefly Saturday evening. All of this shows the necessity for general legislation covering the bridge question. There is scarcely a bridge bill introduced where one of the three clauses that the Senate insists on putting in bridge bills is not left out in one House or the other. There is an effort to get through the bill without it.

or to drop the amendment. It keeps the committees all the time burdened with the duty of watching and scrutinizing these long and cumbersome bills and looking to see if these provisions are in, and after they are put in to watch and see that they are not dropped out.

As the Senator from Missouri said on Saturday, he introduced several years ago a carefully drawn general bridge bill, and it was passed through the Senate twice. The House has refused to pass it. When there is constant danger of improper legislation being passed on this subject, and when there is a constant burden on the committee, if they desire to prevent discrimination, to scrutinize these bills, why the House refused to pass that bill is more than I can comprehend.

But until the House will see fit to pass a bill which the Senate has passed, providing general legislation and making it the duty of these companies to go to the Secretary of War and get their permission under a general law, just as we now go before the Postmaster-General and get a post route under the general law, the burden will devolve on those who think there should be no discrimination to watch every one of these bills. We had this same trouble for years and years with the post routes, and at last, to get rid of the trouble, Congress passed general legislation, and it ought to be done in this case.

The PRESIDENT pro tempore. The bill is before the Senate, and section 6 will be stricken out.

Mr. COCKRELL. That is the one the Senate inserted?

Mr. WEST. It is the amendment of the Senate.

The PRESIDENT pro tempore. The amendment will be disagreed to.

The bill was ordered to a third reading, read the third time, and passed.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented a petition of the New York Furniture Warehousemen's Association, praying for the construction of a new post-office building in the city of New York; which was referred to the Committee on Public Buildings and Grounds.

He also presented sundry petitions of citizens of New York, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of sundry citizens of New York City, of Joseph A. Greene and sundry other citizens of Brooklyn, and of Charles A. Larson, N. J. Nelson, and C. F. Flodgirt, of Brooklyn, all in the State of New York, praying for the enactment of legislation to limit the hours of daily labor of workmen and mechanics, and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

He also presented a petition of the New York Furniture Warehousemen's Association, and a petition of the Manufacturers' Association, of New York, praying that an appropriation be made to continue the pneumatic-tube service in the city of New York; which were ordered to lie on the table.

He also presented petitions of Rev. C. E. Roning, of Brooklyn; Rev. John D. Long, of Babylon, and of the Board of Foreign Missions of the Presbyterian Church, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors, firearms, and opium in the New Hebrides; which were ordered to lie on the table.

He also presented a petition of the Woman's Missionary Society of the First Presbyterian Church of Olean, N. Y., and a petition of the congregations of sundry Presbyterian churches of Rochester, N. Y., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of the Manufacturers' Association of New York, praying for the enactment of legislation to maintain the parity of the money of the United States; which was referred to the Committee on Finance.

Mr. CLAPP presented the following joint resolution of the legislature of Minnesota: which was ordered to lie on the table, and to be printed in the RECORD:

[Memorial to Congress. State of Minnesota. Thirty-second session of the legislature. S. F. No. 94.]

A joint resolution of the senate and house of representatives of the State of Minnesota making application to the Congress of the United States, under Article V of the Constitution, for the submission of an amendment to said Constitution making United States Senators elective in the several States by popular vote.

Be it enacted by the legislature of the State of Minnesota: SECTION 1. The legislature of the State of Minnesota hereby makes application to the Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention to propose an amendment to the Constitution of the United States making United States Senators elective in the several States by direct vote of the people.

SEC. 2. The secretary of state is hereby directed to transmit copies of this application to the Senate, House of Representatives of the Congress, and copies to the members of the said Senate and House of Representatives from this State; also to transmit copies hereof to the presiding officers of each of the legislatures now in session in the several States, requesting their cooperation. Approved February 9, 1901.

STATE OF MINNESOTA, DEPARTMENT OF STATE.

I, P. E. Hanson, secretary of state of the State of Minnesota, do hereby certify that I have compared the annexed copy with the original resolution in my office of a joint resolution of the senate and house of representatives of the State of Minnesota, being senate file No. 91, duly approved February 9, 1901, filed in this office February 9, 1901, and that said copy is a true and correct transcript of said resolution and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State, at the capitol in St. Paul, this 13th day of February, A. D. 1901.

[SEAL.]

P. E. HANSON,
Secretary of State.

Mr. QUARLES presented a petition of 72 citizens of Waukesha, Wis., praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. TELLER presented petitions of sundry citizens of Montrose and Fort Lupton, in the State of Colorado, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Pueblo, Colo., praying for the enactment of legislation providing an adequate and permanent supply of living water for irrigation purposes for the Pima and Papago Indians in Arizona; which was referred to the Committee on Indian Affairs.

He also presented a petition of the congregation of the Methodist Episcopal Church of Fort Lupton, Colo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the island possessions of the United States; which was referred to the Committee on Pacific Islands and Porto Rico.

Mr. THURSTON presented a petition of the congregation of the First Presbyterian Church of Hebron, Nebr., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. MONEY presented a memorial of the Board of Trade of Las Vegas, N. Mex., remonstrating against the enactment of legislation to prohibit the people of the Territory of New Mexico in the free use of the waters of the Rio Grande River; which was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

To the Senate of the United States:

GENTLEMEN: The following resolution was passed at a meeting of the Las Vegas Board of Trade at a meeting held in the city of Las Vegas, N. Mex., on February 12, 1901:

Whereas there is pending in the Congress of the United States a bill commonly known as the "Culberson-Stephens bill," S. 3794, the same having been referred to the Committee on Foreign Relations of the Senate of the United States; and

Whereas the purpose and effect of said measure is to restrict the people of the Territory of New Mexico in the free use of the waters of the Rio Grande River, and would result in the destruction of all horticultural and agricultural interests already established in this Territory along the valley of said river, and to hinder and prevent all future development in such valley of said interests, and as well contains an admission of a duty on the part of the United States toward the Republic of Mexico to burden one of the great industries of New Mexico with an obligation which, if it exists at all, does not rest upon irrigable lands along the Rio Grande River: Therefore,

Resolved, That the Board of Trade of Las Vegas, on behalf of 10,000 people in this locality, whom it represents, earnestly protests against the passage of said bill, and hereby respectfully requests members of Congress of the United States who feel a friendly interest in the development and progress of New Mexico to join in a vigorous support to defeat a measure so destructive to one of our leading industries.

GEO. P. MONEY,

Secretary of Las Vegas Board of Trade.

Mr. FRYE presented a petition of the Woman's Christian Temperance Union of Attleboro, Me., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the New Hebrides; which was ordered to lie on the table.

He also presented a petition of the directors of the Marine National Bank and sundry other banking firms of Bath, Me., praying for the repeal of the stamp tax on bank checks and banking capital; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. NELSON, from the Committee on Public Lands, to whom was referred the bill (S. 5978) authorizing the Secretary of the Interior to appear in suits brought by States relative to school lands, reported it without amendment.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the amendment submitted by himself on the 14th instant, authorizing the construction of reservoirs for the storage of water and for other necessary works for the reclamation of the public lands within the arid and semiarid regions of the United States, intended to be proposed to the sundry civil appropriation bill, reported it with amendments, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. PERKINS, from the Committee on Fisheries, to whom was referred the amendment submitted by Mr. SHOUP on the 12th instant, proposing to appropriate \$25,000 for the establishment of a fish-cultural station in the State of Idaho, intended to be proposed to the sundry civil appropriation bill, reported it favorably, and submitted a report thereon, and moved that it be referred

to the Committee on Appropriations and printed; which was agreed to.

Mr. TELLER, from the Committee on Claims, to whom was referred the amendment submitted by Mr. SULLIVAN on the 4th instant, intended to be proposed to the bill (H. R. 13382) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the acts approved March 3, 1883, and March 3, 1887, and generally known as the Bowman and Tucker acts, and for other purposes, reported it favorably and submitted a report thereon, and moved that it lie on the table and be printed; which was agreed to.

Mr. SIMON, from the Committee on Public Buildings and Grounds, to whom was referred the amendment submitted by Mr. WETMORE on the 13th instant, proposing to appropriate \$20,000 for addition, alterations, and repairs for custom-house and post-office at Newport, R. I., intended to be proposed to the sundry civil appropriation bill, submitted a report thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

DIVISION OF SOILS, DEPARTMENT OF AGRICULTURE.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (H. J. Res. 285) providing for the printing annually of the Report on Field Operations of the Division of Soils, Department of Agriculture, to report it favorably without amendment, and I ask for its immediate consideration.

The joint resolution was read, as follows:

Resolved, etc., That there be printed 17,000 copies of the Report on Field Operations of the Division of Soils, Department of Agriculture, for 1900, of which 3,000 copies shall be for the use of the Senate, 6,000 copies for the use of the House of Representatives, and 8,000 copies for the use of the Department of Agriculture; and that annually hereafter a similar report shall be prepared and printed, the edition to be the same as for the report herein provided.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PRINTING OF REPORT ON COMMERCE.

Mr. PLATT of New York. I am directed by the Committee on Printing to report a concurrent resolution to provide for printing copies of the general summary entitled "Review of the World's Commerce," and I ask for its immediate consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution; which was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 14,000 copies of the general summary entitled "Review of the world's commerce" for the year 1900, of which 1,000 shall be for the use of the Senate, 3,000 for the use of the House of Representatives, and 10,000 for the use of the Department of State; and 8,000 copies of Commercial Relations of the United States for the year 1900, including the general summary, of which 1,000 shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 5,000 for the use of the Department of State.

Mr. COCKRELL. I think the number provided for the Senate is not the usual number. The proportion is one to three. I think generally it is one to two. We have one-third, and we give the House twice as many as the Senate. I think that is the usual number.

Mr. PLATT of New York. I will accept such an amendment as the Senator from Missouri suggests.

Mr. COCKRELL. Let the Senate have 1,500 copies.

Mr. HALE. Before the resolution is disposed of, I wish to call attention, as the Senator from Missouri has done before, and as also the Senator from New York has done, to the tendency in printing valuable public documents which are called for by the public to give almost the whole edition to the Department and not to Congress. In the old days, and not very old days, when a valuable public document was printed, one that was to be much called for by the public, the large part of the edition was given to the two Houses, and incidentally a small portion was given to the Department in which it originated. We have gradually gone on until we are now printing public documents and giving almost the entire edition to the Department, and giving a very meager allowance to the Senate and House.

I do not find fault with the Senator who reported this resolution, because the Departments claim that that shall be done; but we have done too much of it. He has reported a resolution for printing an edition of 14,000 of a very valuable, interesting public document, and of the 14,000 copies he proposes to give only 4,000 to Congress and 10,000 copies to the Department of State. I believe that to be wrong. I hope the Senator in the future will see to it (for these matters of printing are largely in the discretion of the chairman) that the distribution is not made in that way. I shall move in this case that 2,500 be given to the Senate and 4,000 to the House, and the balance to the State Department.

Mr. COCKRELL. I hope the Senator will modify it and let us

keep up the usual number, which would be 3,000 to the Senate and 6,000 to the House.

Mr. HALE. That is better.

Mr. COCKRELL. And 5,000 to the State Department.

Mr. HALE. Five thousand to the State Department. I put the motion in that form.

The PRESIDENT pro tempore. The amendments will be stated.

The SECRETARY. In line 4 strike out "one" and insert "three;" in line 5 strike out "three" and insert "six;" in line 6 strike out "ten" and insert "five;" in line 9, before the word "thousand" where it first occurs, strike out "one" and insert "two;" in the same line, before the word "thousand" where it occurs the second time, strike out "two" and insert "four," and in line 10 strike out "five" and insert "two;" so as to make the resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed 14,000 copies of the general summary entitled "Review of the World's Commerce for the year 1900," of which 3,000 shall be for the use of the Senate, 6,000 for the use of the House of Representatives, and 5,000 for the use of the Department of State; and 8,000 copies of Commercial Relations of the United States for the year 1900, including the general summary, of which 2,000 shall be for the use of the Senate, 4,000 for the use of the House of Representatives, and 2,000 for the use of the Department of State.

The PRESIDENT pro tempore. The question is on agreeing to the amendments proposed by the Senator from Maine.

The amendments were agreed to.

The concurrent resolution as amended was agreed to.

CORRESPONDENCE OF JOHN C. CALHOUN.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. TILLMAN on the 5th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 15,000 additional copies of volume 2 of the Annual Report of the American Historical Association for 1899, being the correspondence of John C. Calhoun, of which 5,000 copies shall be for the use of the Senate and 10,000 copies for the use of the House of Representatives.

REPORT OF COMMISSIONER OF PATENTS.

Mr. PLATT of New York. I move that the Committee on Printing be discharged from the further consideration of the annual report of the Commissioner of Patents for the year 1900, which was referred on February 5, 1901, to the Committee on Printing, and that it be referred to the Committee on Patents.

The motion was agreed to.

REPORT ON MILITARY OPERATIONS.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom were referred the amendments of the House of Representatives to the concurrent resolution of the Senate for printing the annual report of the Major-General Commanding the Army for 1899, to report back the amendments and move the concurrence of the Senate therein.

The PRESIDENT pro tempore. The amendments of the House of Representatives will be stated.

The amendments of the House of Representatives were:

Line 2, strike out "seven" and insert "four."

Line 5, strike out "two" and insert "one."

Line 6, strike out "four" and insert "two."

So as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed 4,000 copies of the annual report of the Major-General Commanding the Army for 1899, with accompanying documents, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 1,000 copies for the use of the War Department and Headquarters of the Army.

The PRESIDENT pro tempore. The question is on concurring in the amendments of the House of Representatives.

The amendments were concurred in.

LIST OF MAPS.

Mr. PLATT of New York. I am instructed by the Committee on Printing, to whom were referred the amendments of the House of Representatives to the concurrent resolution of the Senate providing for the printing of 3,500 copies of "The list of maps relating to America now in the Library of Congress," as submitted by the Librarian of Congress, to report them favorably and with a recommendation that the Senate concur therein. I ask for their present consideration.

There being no objection, the Senate proceeded to consider the amendments of the House of Representatives to the concurrent resolution, which were, in line 5 to strike out "three" and insert "two;" in line 6 to strike out "one thousand" and insert "five hundred;" and in line 7 to strike out "five hundred;" so as to make the resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed of "The list of maps relating to America now in the Library of Congress," as submitted by the Librarian of Congress, 2,500 copies, of which number 500 shall be for the use of the Senate, 1,000 for the use of the House of Representatives, and 1,000 for the use of the Library of Congress, said documents to be bound in cloth.

The PRESIDENT pro tempore. The question is on concurring in the amendments of the House of Representatives. The amendments were concurred in.

WILLIAM FLANNERY.

Mr. McCUMBER, from the Committee on Claims, to whom was referred the bill (S. 709) for the relief of William Flannery, submitted a report thereon, accompanied by the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 709) entitled "A bill for the relief of William Flannery," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

INTERNATIONAL CONFERENCE AT BRUSSELS.

Mr. ALDRICH. I report from the Committee on Finance a translation made for the committee of the proceedings of the international conference at Brussels upon sugar bounties, and ask that it may be printed as a document.

Mr. COCKRELL. When was that conference held?

Mr. ALDRICH. In 1898. The proceedings have never before been translated and they never have been printed. It is a very important document, and one of great public interest just at the present time.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Rhode Island [Mr. ALDRICH] that the paper referred to by him may be printed as a document? The Chair hears none, and that order is made.

BILLS INTRODUCED.

Mr. McENERY introduced a bill (S. 5990) for the relief of the estate of Raphael Segura, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5991) for the relief of Whitty S. Miller, administrator of Whitty M. Sasser, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BATE introduced a bill (S. 5992) for the relief of D. W. and Minna H. Glassie and Joseph C. Nash; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. TELLER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5993) granting a pension to A. Elizabeth Nichols;

A bill (S. 5994) granting an increase of pension to Henry R. Bennett;

A bill (S. 5995) granting an increase of pension to Cyrus A. Bowers (with an accompanying paper);

A bill (S. 5996) granting an increase of pension to William H. Green (with an accompanying paper); and

A bill (S. 5997) granting a pension to Thomas Tobens.

Mr. STEWART introduced a bill (S. 5998) granting a pension to Alice P. Morrison; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MASON introduced a bill (S. 5999) to remove the charge of desertion and grant an honorable discharge to John C. Weckler; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HALE. I introduce a bill which I ask may be read and referred to the Committee on Naval Affairs.

The bill (S. 6000) to revive the grade of vice-admiral in the Navy was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That the grade of vice-admiral in the Navy of the United States is hereby revived, and the President is hereby authorized, by and with the advice and consent of the Senate, to appoint from the active list of rear-admirals of the Navy two vice-admirals.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Naval Affairs.

Mr. MCOMAS introduced a bill (S. 6001) reviving the grade of vice-admiral in the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HALE introduced a joint resolution (S. R. 160) tendering the thanks of Congress to Rear-Admiral William T. Sampson, United States Navy, and to the officers and men of the squadron under his command during the late war with Spain; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PERKINS. I introduce a joint resolution which I ask may be read and referred to the Committee on Education and Labor.

The joint resolution (S. R. 161) to facilitate the utilization of the Government Departments for the purposes of research, in extension of the policy enunciated by Congress in the joint resolution approved April 12, 1892, was read the first time by its title and the second time at length, as follows:

Whereas by public resolution No. 8, approved April 12, 1892, entitled "To encourage the establishment and endowment of institutions of learning at

the national capital by defining the policy of the Government with reference to the use of its literary and scientific collections by students," the use of the Government resources for purposes of research is limited to institutions of learning at the national capital; and

Whereas it is desirable that duly qualified students and graduates of institutions of learning other than those located at the capital, also any suitable qualified individual, should be permitted to utilize the various scientific and other resources of the Government for purposes of research, in order to obtain opportunities for practical training and research which can not be obtained elsewhere in the United States: Therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That facilities for study and research in the Government Departments, the Library of Congress, the National Museum, the Zoological Park, the Bureau of Ethnology, the Fish Commission, the Botanic Gardens, and similar institutions hereafter established, shall be afforded to scientific investigators and to duly qualified individuals, students, and graduates of institutions of learning in the several States and Territories, as well as in the District of Columbia, under such rules and restrictions as the heads of the Departments and bureaus mentioned may prescribe.

The PRESIDENT pro tempore. In the absence of objection, the joint resolution will be referred to the Committee on Education and Labor.

Mr. PLATT of Connecticut. I think bills similar to this joint resolution have heretofore always gone over to the Committee on the Library.

Mr. PERKINS. I understood the Committee on Education and Labor was the proper committee for the consideration of the joint resolution, but I have no objection to it going to the Committee on the Library.

Mr. PLATT of Connecticut. I do not know that I have any objection, so far as this case is concerned.

The PRESIDENT pro tempore. In the absence of objection, the joint resolution will be referred to the Committee on Education and Labor.

Mr. MCOMAS introduced a joint resolution (S. R. 162) tendering the thanks of Congress to Rear-Admiral Winfield Scott Schley and to Rear-Admiral William T. Sampson and to the officers and men engaged in the naval battle off Santiago de Cuba during the late war with Spain; which was read twice by its title, and referred to the Committee on Naval Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MASON submitted an amendment proposing to appropriate \$282,840.96 to pay amounts found by commissioners of the Court of Claims to be due letter carriers under the act of May 24, 1888, entitled "An act to limit the hours that letter carriers in cities shall be employed per day," intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. THURSTON submitted an amendment proposing to appropriate \$22,000 for the survey of lands in the Pine Ridge, Standing Rock, and Lower Brulé Indian reservations in South Dakota, and \$3,000 for clerical work and stationery in the office of the surveyor-general required on surveys within the Pine Ridge, Standing Rock, and Lower Brulé Indian reservations in South Dakota, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PLATT of New York submitted an amendment proposing to establish a consulate at Teneriffe, Spain, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

THE OLEOMARGARINE BILL.

Mr. CLARK submitted an amendment intended to be proposed by him to the bill (H. R. 3717) to make oleomargarine and other imitation dairy products subject to the laws of the State or Territory into which they are transported and to change the tax on oleomargarine; which was ordered to lie on the table and be printed.

LEWIS S. HORSEY.

Mr. GALLINGER submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring). That the President be requested to return to the Senate the bill of the Senate No. 1203, granting an increase of pension to Lewis S. Horsey.

SUNDAY SESSION FOR MEMORIAL EXERCISES.

Mr. CHANDLER. I introduce a resolution, which I shall ask to go over until to-morrow, to which I invite the special attention of Senators. It is a resolution which provides that the various memorial exercises concerning deceased members of the House of Representatives, of which notice has been given heretofore to be brought up on Saturday next, be considered at a special session of the Senate, to be held for that purpose only, on Sunday next at 1 o'clock. I offer the resolution, and ask that it may go over; but unless I ascertain that it will meet with the general concurrence of the Senators, I shall not ask to have it passed.

Mr. BUTLER. Let the resolution be read.

Mr. COCKRELL. Yes, let it be read, so that we may understand what it is.

The PRESIDENT pro tempore. The resolution submitted by the Senator from New Hampshire [Mr. CHANDLER] will be read. The Secretary read as follows:

Resolved, That the various memorial resolutions concerning deceased members of the House of Representatives, the consideration of which is fixed for Saturday next, be considered at a session of the Senate to be held for that purpose only on Sunday next at 1 o'clock.

The PRESIDENT pro tempore. The resolution will go over at the request of the Senator offering it.

LETTERS OF JEFFERSON ON CUBAN ANNEXATION.

Mr. HANSBROUGH. I offer a resolution for which I ask present consideration.

The PRESIDING OFFICER (Mr. BEVERIDGE in the chair). The Senator from North Dakota offers a resolution, which will be read for information.

The resolution was read, as follows:

Resolved, That the Secretary of State be, and he hereby is, directed to send to the Senate copies of letters written by Thomas Jefferson to President Madison and President Monroe concerning the annexation of Cuba.

Mr. PLATT of Connecticut and Mr. GALLINGER. Let it be read again.

Mr. HALE. Let the resolution go over for the present.

The PRESIDING OFFICER. The Senator from North Dakota asks that the resolution be considered and put upon its passage. The resolution will again be read to the Senate.

Mr. HALE. Let it go over, Mr. President.

Mr. GALLINGER. Let it be read again.

Mr. HANSBROUGH. I will say to the Senator from Maine that it is merely a resolution calling for information.

Mr. PLATT of Connecticut. I should like to hear it read again.

The PRESIDING OFFICER. The resolution will again be read.

The Secretary again read the resolution.

Mr. HALE. There are certain other letters from other great public servants in times past that I want to add to it, but I can not give the names now, and I ask that the resolution go over.

Mr. HANSBROUGH. Very well; I have no objection to that course.

The PRESIDING OFFICER. The Senator from Maine makes objection, and the resolution will go over for one day.

BONDS OF PIMA COUNTY, ARIZ.

Mr. SPOONER. On Saturday last the Senate passed House bill 8068, and after the bill had passed I entered a motion to reconsider the vote by which it was passed. I now ask leave to withdraw that motion.

The PRESIDENT pro tempore. The Senator from Wisconsin withdraws his motion to reconsider the vote by which the Senate passed a bill the title of which will be stated.

The SECRETARY. A bill (H. R. 8068) authorizing the board of supervisors of Pima County, Ariz., to issue fifty-year 4 per cent bonds of Pima County, Ariz., to redeem certain funded indebtedness of said county.

The PRESIDENT pro tempore. The motion to reconsider having been withdrawn, the bill stands passed.

EVA BURRELL.

Mr. GALLINGER. On Saturday last the Senate passed a resolution, No. 467, providing for the payment to Eva Burrell, widow of Henry Burrell, deceased, late a laborer in the employ of the Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death. I find the name has been incorrectly spelled, and I move a reconsideration of the vote whereby the resolution was adopted.

The PRESIDENT pro tempore. The Senator from New Hampshire moves that the vote by which a resolution was adopted be reconsidered. The resolution will be read.

The Secretary read the resolution which had been submitted by Mr. McMILLAN January 11, 1901, and reported by Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, on the 16th instant, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Eva Burrell, widow of Henry Burrell, deceased, late a laborer in the employ of the Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

The motion was agreed to; and, by unanimous consent, the Senate proceeded to consider the resolution.

Mr. GALLINGER. I move to amend the resolution by having the name spelled "Burrell."

The SECRETARY. It is proposed to amend the resolution in lines 2 and 3 by striking out the final "l" in the name "Burrell" where it occurs, so as to read "Burrel."

The amendment was agreed to.

Mr. GALLINGER. I hope the resolution may now be adopted.

The resolution as amended was agreed to.

UNLAWFUL TRADE RESTRAINTS AND MONOPOLIES.

The PRESIDENT pro tempore. If there be no further morning business, the Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. JONES of Arkansas on the 16th instant, as follows:

Resolved, That the Committee on the Judiciary be discharged from the further consideration of the bill (H. R. 10539) to amend an act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890, and that the Senate proceed to consider the same.

Mr. JONES of Arkansas. I have a telegram from the senior Senator from Massachusetts [Mr. HOAR], the chairman of the Committee on the Judiciary, having charge of the bill which I have moved that the committee be discharged from the consideration of. He telegraphs me that he is detained from the Senate, that he can not be here until Thursday next, and that he is anxious to be present when the resolution is taken up. I am not willing to be discourteous to that Senator in any sense, and believing that we can just as easily have a vote on this question on Thursday as to insist on its consideration to-day, I prefer that the resolution shall lie on the table, to be taken up on Thursday morning next, when the Senator from Massachusetts can be present.

The PRESIDENT pro tempore. Does the Senator from Arkansas make that request?

Mr. JONES of Arkansas. I do.

The PRESIDENT pro tempore. The Senator from Arkansas asks unanimous consent that the resolution retain its present position until Thursday morning next. Is there objection? The Chair hears none, and it is so ordered.

MINING LOCATION.

Mr. PETTIGREW. On Saturday last I entered a motion to reconsider the vote by which a resolution was passed. I should like to call up that motion for consideration now. It relates to a resolution authorizing the Committee on Mines and Mining to make certain investigations.

The PRESIDENT pro tempore. The Senator from South Dakota [Mr. PETTIGREW] asks for the consideration at this time of his motion to reconsider the vote by which the Senate on Saturday last passed a resolution, which will be read.

The Secretary read the resolution submitted by Mr. STEWART January 3, 1901, and reported by Mr. JONES of Nevada from the Committee to Audit and Control the Contingent Expenses of the Senate on the 16th instant, as follows:

Resolved, That the Committee on Mines and Mining, while making inquiry in pursuance of a resolution of the Senate passed January 3, 1901, concerning mining locations under powers of attorney and where no mineral discoveries have been made, be authorized to send for persons and papers, to examine witnesses, and to employ a stenographer; that said committee may act by a subcommittee and may sit during the sessions of the Senate, and that the expenses of the inquiry may be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

Mr. GALLINGER. I would say, in respect to that matter, that the Senator from Nevada [Mr. STEWART] assures me that all he desires is to have a stenographer who has already done some work for the committee paid for his services. So if the resolution shall be reconsidered we will prepare a substitute for it. I think it ought to be reconsidered.

The PRESIDENT pro tempore. The Senator from South Dakota [Mr. PETTIGREW] moves that the vote by which the resolution was agreed to be reconsidered.

The motion was agreed to.

Mr. CHANDLER. Now, I ask that the resolution be recommitted to the Committee on Contingent Expenses which can prepare a substitute.

Mr. GALLINGER. That is right.

Mr. STEWART. I have no objection to that.

The PRESIDENT pro tempore. Without objection, the resolution will be recommitted to the Committee to Audit and Control the Contingent Expenses of the Senate.

POST-OFFICE APPROPRIATION BILL.

The PRESIDENT pro tempore. The morning business is closed.

Mr. CARTER. Mr. President, I desire to call up Senate bill 4306, which is upon the table as coming from the House of Representatives with amendments, in order that I may move concurrence in the House amendments.

Mr. WOLCOTT. Did I understand the President of the Senate to state that the morning business had closed?

The PRESIDENT pro tempore. The Chair announced that morning business had closed.

Mr. WOLCOTT. I should like, before the Senator from Montana proceeds, in accordance with a notice which I have given, to call up for the consideration of the Senate the Post-Office appropriation bill and have it laid before the Senate. Then I will give way with pleasure to the Senator from Montana.

Mr. CARTER. Very well.

The PRESIDENT pro tempore. The Senator from Colorado moves that the Senate proceed to the consideration of the Post-Office appropriation bill, the title of which will be stated.

The SECRETARY. A bill (H. R. 13729) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902.

Mr. WOLCOTT. I ask that the formal reading of the bill may

be dispensed with and that the committee amendments be first acted upon.

The PRESIDENT pro tempore. The Senator from Colorado asks unanimous consent that the formal reading be dispensed with, that the bill be read for amendment, and that the committee amendments first receive consideration. Is there objection? The Chair hears none.

Mr. WOLCOTT. Now I yield to the Senator from Montana.

SETTLERS ON NORTHERN PACIFIC RAILROAD GRANT.

Mr. CARTER. I now ask that the Senate proceed to consider the amendments of the House of Representatives to the bill (S. 4306) for the relief of settlers under the public-land laws to lands within the indemnity limits of the grant to the Northern Pacific Railroad Company; and I move that the Senate concur in the amendments of the House of Representatives.

Mr. BUTLER. I ask the Senator to let that bill go over. We can not dispose of it now before taking up the Post-Office appropriation bill.

Mr. CARTER. I have no interest in the bill, except that it comes from the Committee on Public Lands. I will state to the Senator that it only involves the interest of a few settlers to whom lands were inadvertently patented by the United States. By a decision of the Supreme Court of the United States the lands embraced in the respective patents, about fifteen in number, I think, are held to have been erroneously patented. This bill contemplates quieting title, to the end that each of these settlers in this predicament may not be subjected to ejectment proceedings. It is a very small bill in its scope, and yet the effect upon these struggling men of being ejected from the homes they have improved will be very serious.

Mr. CHANDLER. I ask the Senator if the Committee on Public Lands has instructed him to move concurrence in the House amendments?

Mr. CARTER. I have been requested to do so.

Mr. SPOONER. I ask the Senator from Montana whether there is not an existing law, under which the Secretary of the Interior has the right to demand a reconveyance of lands improperly conveyed, and authorizing the entry of suit to set aside a patent where the original conveyance was incorrect?

Mr. CARTER. That law exists, but of course the Senator's question induces an explanation of this subject.

The lands in question were in good faith, but under an erroneous construction of the law, patented by the United States to the respective settlers acquiring the tracts of land. The patents were issued long ago; the settlers have improved their places and are now living upon the lands. The lands are quite valuable, I am informed.

Mr. SPOONER. I see the Senator's point. I misunderstood what the Senator said in the first place in regard to quieting title, and thought it was land improperly conveyed to railroads.

Mr. CARTER. Oh, no. The purpose of the Government now is to leave these settlers undisturbed upon the lands to which they have obtained patents through an erroneous construction of the law. This is, in short, a bill to quiet their titles; and, in order to secure the quieting of titles to the settlers, the company holding the legal title—the paramount title—will be permitted to select other lands in lieu of those thus confirmed in the settlers to whom the patents were erroneously issued.

Mr. BUTLER. Mr. President, I remember that when this bill was up at the last session we made some amendments to it, and I remember the discussion regarding the bill. My recollection is that the House strikes out some of those amendments which we adopted. We can not dispose of the bill now without further examination. So I call for the regular order.

Mr. CARTER. I ask that the bill may lie on the table until the Senator can have an opportunity to examine it.

The PRESIDENT pro tempore. The Senator from Montana asks that the bill may retain its place.

Mr. CARTER. I ask that the bill may remain upon the table for the present.

The PRESIDENT pro tempore. The Chair hears no objection, and that order will be made.

PROMOTION OF COMMERCE AND INCREASE OF TRADE.

Mr. WOLCOTT. The Senator from Alabama [Mr. PETTUS] gave notice last week that at the close of the morning business to-day he would address the Senate upon the shipping bill. Although I think all members of the Senate will agree with me as to the importance of the disposal of the appropriation bills, yet I feel that, under the circumstances, propriety requires that the Post-Office appropriation bill should be temporarily passed over, to enable the Senator from Alabama to address the Senate. I am prepared to respond this morning to the notice the Senator from Alabama has given. I wish merely to say that I shall not give way to any other business after the Senator from Alabama shall have concluded his remarks.

The Senate, as in Committee of the Whole, resumed the consid-

eration of the bill (S. 727) to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary.

Mr. PETTUS. Mr. President, my thanks are due for the courtesy of the Senator in charge of the important Post-Office appropriation bill, and I will accept the favor he has granted me.

And, Mr. President, I ask another favor. I ask that Senators shall not be called into this Chamber to hear my feeble remarks.

Mr. President, the great questions presented in this bill, and the many millions it, if enacted, will take out of the Treasury, are my excuse and justification for making an argument after the measure has been discussed by others.

And I will ask the Senate to be patient with me if I comment on points already made, as I must of necessity do so, because I follow in this debate great lawyers who commonly see all the points involved; and this bill, in its origin, was framed and parsed over by that preeminent lawyer and ex-Senator who was employed to draft this bill, and who is so great a master of logic that if he had lived in Butler's day he would be believed to have been the man—

Who can distinguish and divide
A hair 'twixt south and southwest side.

No man can overestimate the powers of that preeminent lawyer (ex-Senator Edmunds), either as to his clearness of vision, his power of condensation, the scope of his law learning, or his ability to cipher around the truth. In considering the merit of any work he has performed, you would generally err in your judgment of it, if you neglected to consider the circumstances under which the work was done. Here he worked for his clients, and for their special benefit, and under their suggestions, and to effect their purposes.

The general repute of that most eminent man authorizes me to say that, as a Senator of the United States, he never could have written this bill. And it also justifies me in quoting from that learned philosopher, David Harum—"There is just as much human nature in some people as in others."

So, Mr. President, I insist that it will not do to pass this bill merely because it is covered over and obscured under the shadow of a great name. And far less will it do to pass it merely because the great financiers, who were the incubators of and beneficiaries under the bill, know more about ships and shipbuilding, and "what the moralists call overreaching," than any Senator, or all of the Senators combined. Their claim to all this superior knowledge is admitted. But—

I'll no say men are villains a';
The real, hardened, wicked,
Wha hae nae check but human law,
Are to a few restricted.
But, och! mankind are unco weak,
And little to be trusted;
If self the wavering balance shake,
It's rarely right adjusted.

Burns, though not a Puritan or a Pharisee, had studied human nature, and his conclusion, above quoted, is sustained by Sir William Blackstone, who declares, as the law, that "Parliament, though omnipotent, can not make a man a judge in his own case." Has this Senate more power than Parliament? Are not some one or more Senators judging their own case here?

Mr. President, let us lay aside the great names which have been used to protect and shield this measure from just criticism and look at the bill itself in its naked deformity; and as I have been nearly all of my manhood's years engaged diligently in the study of the law of the land, I will first call attention to some of the great rules of the "supreme law" under which the Congress is bound to act in this case if the Congress is still bound "to support the Constitution of the United States;" and for the purposes of this argument, merely, I shall assume that the Congress is so bound, though not without fear of contradiction.

It is admitted that the Congress has the power—

To regulate commerce with foreign nations, among the several States, and with the Indian tribes.

And Congress has power—

to provide and maintain a Navy.

This power "to regulate commerce," as it was originally proposed in the convention which framed the Constitution, was greatly feared by some of the members of that convention of wise patriots, and particularly by members from Maryland.

Mr. President, the wisdom and foresight of the great men of that convention are marvelous. They seem to have been endowed by their Creator with power to foresee and foretell what would be the conduct of this Government more than one hundred years in the then future. And they tried to provide checks and restrictions upon the powers granted, so as to prevent the dire evils and calamities which they clearly foresaw and foretold would result from powers granted, if not restricted. For example, when the power "to raise and support armies" was being considered an effort was made to forbid "standing armies in time of peace;" and

the evils to come from that power unrestricted were clearly foreseen and foretold. Now we have a part of the evils so pointed out clearly before us in a large Regular Army of about 100,000 men, with a part of it carrying on a war in the interior of China, without the authority of Congress, and in alliance with "the great powers," as they are called, and this alliance without "the advice and consent of the Senate." Other evils resulting from the unlimited power to raise armies, foretold by some of the wise men of that convention, are to come. And come they will, if there be any truth in history. But it has been declared here that the power to raise armies is not unrestricted, that the Congress may refuse to grant supplies. Why, Mr. President, the Congress was the very body which some of these wise men sought to restrain from raising standing armies in time of peace, and their most wonderful foresight is now made manifest.

But let us return from this digression.

When it was proposed to delegate to the Congress the power "to regulate commerce," the wise men from Maryland, endowed with "mystical lore," again objected and stated, in substance, that the Congress, if it had this unlimited power to regulate commerce, might foster and give preference to the ports of one State over the ports of other States. That objection was sustained; for the evil pointed out and to be guarded against was not in the dim distance of one hundred years, but, on the contrary, it was in the then near future, and it required no "mystical lore" to see it. So it was plainly seen, and, after a special committee had considered the matter, was guarded against and the power "to regulate commerce" was limited by the adoption of a provision now in the Constitution in these words:

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

That clause is a part of section 9 of Article I, and it has never been changed.

The Supreme Court of the United States, in *Marbury vs. Madison* (1 Cranch.), declared that "An act of Congress repugnant to the Constitution is void."

This decision has been so often followed and never disputed by that court that it is now a maxim, well known to Senators and never disputed, except by those who think that the Constitution has served the purposes for which it was adopted, and that we ought now to regulate commerce and all other things by "institutional law."

Now, the practical question is, whether this bill, in its present shape, does "give a preference to the ports of one State over another." If it does, all Senators who are willing to "support the Constitution" must vote against the bill—in other words, if the bill is repugnant to the Constitution, Senators so believing must "give a preference" to the Constitution.

First. This bill does "give a preference" to all the ports on the Atlantic side of the United States over the ports of California, Oregon, and Washington, in this:

It divides the subsidy of \$9,000,000 per annum into two parts, and gives seven-tenths to ports on the Atlantic side and only three-tenths to the Pacific ports.

If this preference was not intended, then the division of the nine millions into two parts has no sense or purpose in it.

Heretofore, if any Senator pronounced the word "ship" inside the Chamber in a voice ever so low, that word was always heard by and, if necessary, answered by California. And California has answered.

It is not a satisfactory "divide," for, although practically three-tenths of the nine millions may be as much as the Pacific ports would earn in a year under an impartial law, yet I know from woeful experience the deep mortification of seeing the State in which I lived declared by the law to be inferior in its rights to other States. It is a condition to which no manly people would submit if they could help themselves.

Second. This bill picks out (by description which identifies them as clearly as if their names were given) vessels of the port of New York, in the State of New York, to receive of this bounty or subsidy, thus giving a preference to the port of New York over the ports of every other State in the United States. Section 10, clause (a).

Third. The bill also picks out four other foreign vessels, to be built, but now contracted for, for the port of New York, to receive of this subsidy, thus giving a preference to the port of New York over the ports of other States. Section 10, clause (b), page 16.

These last-named steamships to be built are described as having been under contract, copies of the contracts having been filed in the office of the Secretary of the Treasury on or before the 1st day of February, 1899, and to be in the course of construction on or before the 1st day of January, 1900. These four ships belong to the same foreign corporation, the International Navigation Company.

In the name of all things fair and legal, under what law and for what purpose were these contracts for the building of steam-

ships in a foreign country filed in the office of our Secretary of the Treasury? Is such a thing consistent with "fair play," so dear to every true man? Were they so filed to gain a preference over others; and is this Senate to become a party to such a concocted scheme of fraud thus apparent on the face of the bill?

That International Navigation Company, chartered abroad but owned in New York, got this preference by first filing copies of their contracts for the construction of four ships in the office of the Secretary of the Treasury; but there was no law authorizing the filing of such contracts in that office.

Why not name the owner and his vessels to be the beneficiaries of this subsidy? If you do, the law would be void on grounds other than the clause forbidding the giving a preference to the ports of one State over another. Can you do indirectly that which the law says you shall not do directly?

Fourth. In clause (b) of the first section of this bill there is what might justly be called a "rapid-firing" preference gun. It has a thin gauze covering, but if you will merely glance at the map of the United States you will see the many preferences given to the ports of certain States over the ports of other States. This clause (b) fixes the subsidy to be paid partly by mileage per ton and partly by the aggregate distance of the voyage outward and homeward. The vessels of the common class are to be paid out of this subsidy 1½ cents per gross ton for each 100 miles outward not exceeding 1,500 miles, and the same amount for the homeward voyage not exceeding 1,500 miles; but for the miles exceeding 1,500 outward only 1 cent per gross ton per 100 miles is allowed, and the same rule applies to the homeward voyage exceeding 1,500 miles. This complicated and double rule for measuring the amount of subsidy to be paid each vessel has no sense in it, if it were not for the cunning device of carrying out the intent to benefit and build up the ports of certain States to the detriment and loss of the ports of other States. For we all know that a small difference in the cost of transportation from or to one port as compared with another competing port will have a powerful effect in turning the trade to that port where this cost of transportation is the smallest.

Liverpool is the center of our trade across the Atlantic; and Liverpool is about 3,000 miles from New York, and about 4,000 miles from New Orleans, and about 5,000 miles from St. Louis; and all of the three cities last named are ports of the United States, in different States. Yet this bill is so fitted to the geography that New York ships get a larger pay per ton per mile of voyage to and from Liverpool than the ports of any part of the United States not located on the North Atlantic coast. The difference in the pay per mile between vessels, one going from New York to Liverpool and the other going from St. Louis to Liverpool, is very largely in favor of New York, though the two vessels were of the same tonnage.

Fifth. The preference given by this bill to ports of one State over another is strongly shown by another crafty provision, most innocently inserted by those who ciphered out the division of the spoils on geographical lines; and they did cipher them out to an exact percentage.

This bill provides that "a vessel on a voyage less than one-half of the whole length of which, on her outward and homeward voyages, respectively, shall have been on sea between a port of the United States and a foreign port" shall have no part of the subsidy. Section 9, clause (h), page 13.

Now, in considering this clause turn your minds to Chicago, a port of Illinois, and St. Louis, a port of Missouri. These cities are great rivals, each striving to control the trade of the great Northwest, a section of our country so wonderfully productive that it can feed a large part of the world.

A vessel loaded in Chicago with mules, meat, and flour goes on a voyage to Habana, sells her cargo, takes on her load of sugar and tobacco, and returns to her home port, and under the provisions of this bill that vessel gets pay out of the tax money for every mile she traveled either on fresh water or "on the sea."

Per contra, a vessel loaded in St. Louis with mules, meat, and flour goes on a voyage to Habana, sells her cargo, takes on her load of sugar and tobacco, and returns to her home port; and she is paid under this bill not one continental "fo' pen' sa' penny." And yet we are told that there is no discrimination between ports of different States.

The great Senator from New York (the junior of the great Senators of that empire)—a great lawyer, learned in gigantic financial manipulations and in the wonderful systems by which every city and hamlet and man in the United States are made to pay tribute to New York—this greatest of American orators, known all over our country and all over the lands of "the great powers," declared in the Senate, in discussing this measure, as follows:

This bill creates no favors, it fosters no interests, but lays down universal rules by which the capital and enterprise of the people can demand their share of this subsidy.

Big Brobdignags and little Lilliputians! What a piscatorial narrative!

Sixth. Mr. President, another separate clause of this bill gives the preference to the ports of certain States over the ports of other States, forbidden by the provision of the Constitution, which I have quoted.

The paragraph marked (g), of section 8, pages 12 and 13, provides as follows:

A vessel, on a voyage extending only to a foreign port less than 150 nautical miles from her last port of departure in the United States at which cargo, passengers, or mails shall have been taken—shall take nothing under this bill.

The Plant Line, as it is commonly called, running from Key West to Panama, a distance less than 100 miles, could take no benefit under this subsidy.

There has been for years a fierce controversy about "long hauls" and "short hauls." This bill contains a striking absurdity about these "long and short hauls."

One part of this bill gives less pay per mile to the "long hauls" than it gives to "short hauls" (which are 1,500 miles outward and 1,500 miles homeward); but this clause gives no pay to the vessel going on a voyage which this bill, in substance, defines to be "the short haul."

There must be a reason or cause for this curious absurdity. There is a cause. New York is nearer to Liverpool and other great markets across the Atlantic than other ports, but New York is not within 150 miles of any other point of land on earth outside the United States. And this is a New York bill. It is a native of New York, and that great city is now the center and arbiter of our trade and in the near future it will probably be the center of the trade of the world. Can it never be said, "It is enough?"

Now, Mr. President, having shown six separate clauses of this bill which give preference to the ports of certain States over the ports of other States, let us glance at decisions of the Supreme Court concerning such preferences.

See the case of *The State of Pennsylvania vs. Wheeling and Belmont Bridge Company*, 18 Howard, pages 434-435, where Justice Nelson defines the meaning. He says:

What is forbidden is, not discrimination between individual ports within the same or different States, but discrimination between States—page 435. It "looks to a prohibition against granting privileges or immunities to vessels entering or clearing from the ports of one State over those of another. That these privileges and immunities, whatever they may be, in the judgment of Congress, shall be common and equal in all the ports of the several States."

And in *Munn vs. Illinois*, 94 United States, page 135, Chief Justice Waite says:

The remaining question, to wit, that the statute in its present form is repugnant to section 9, article 1, of the Constitution of the United States, because it gives preference to the ports of one State over those of another, may be disposed of by the single remark that this provision operates as a limitation on the powers of Congress, and in no respect affects the States in the regulation of their domestic affairs.

There are other features of gross preference and unfairness. For example:

1. Large vessels get more than small vessels per ton, though of the same speed, if each runs over 12 knots.
2. But nothing is allowed in any case for speed if the vessel is under 2,000 tons.

3. Passenger steamships are given a decided advantage over a freight vessel, though they be of the same tonnage, over 2,000 tons, and of the same speed, over 12 knots, in this:

Both get the same subsidy for freight if their cargo is over one-half of their tonnage. But the passenger steamship gets full pay for all its gross tonnage, and has nearly half its tonnage capacity left to give room for its passengers. So it is manifest that the clause giving full pay for half a cargo was put into this bill as a favor and advantage to the fine passenger steamers. Here the International Navigation Company and other New York men are preferred.

4. Large vessels can not go to or from our inland ports. So the large seaports are preferred to ports on the rivers and lakes.

Here are a few sums ciphered out by the rules stated in this bill, and they show a vast preference in violation of this constitutional rule:

1. A vessel of less than 12 knots per hour, of 2,000 tons, on a voyage from New York to Liverpool (say 3,000 miles) would receive $1\frac{1}{2}$ cents per ton per hundred miles for 1,500 miles and 1 cent per ton per hundred miles for the balance of the trip, making in all \$750 for each trip outward.

Now per contra:

2. A vessel of 2,000 tons making the same voyage, if its speed were over 12 knots per hour, would receive $1\frac{1}{2}$ cents per ton per hundred miles for 1,500 miles and 1 cent per ton per hundred miles for the balance of the trip; and in addition thereto would receive one-half of 1 cent per ton per hundred miles for the whole trip of 3,000 miles, making in all \$1,050—40 per cent. Exactly 40 per cent.

Oh, this was all ciphered out beforehand by the wise men in Wall street.

3. A steam vessel of 4,000 tons with a speed of less than 12 knots per hour, making a trip from New York to Liverpool (say

3,000 miles), would receive $1\frac{1}{2}$ cents per ton per hundred miles for 1,500 miles of the trip and 1 cent per ton per hundred miles for the balance of the trip, making in all for the outward voyage \$1,500.

Per contra:

4. A steam vessel of 4,000 tons, of 17 knots per hour or over, making the same trip, would receive $1\frac{1}{2}$ cents per ton per hundred miles for 1,500 miles of the trip and 1 cent per ton per hundred miles for the balance of the trip; and in addition thereto would receive 1.4 cents per ton per hundred miles for the whole trip, making in all for the outward trip \$3,180, or 112 per cent exactly.

Oh, it has been ciphered, and ciphered, and ciphered!

These sums demonstrate the wonderful intellectual force of the framers of this bill and their clear comprehension of commercial advantages, resulting from having your own lawyer to write the laws for you, so as to fit the law to the facts and circumstances of your case.

The moral part of the transaction, if any, may well be referred to Dr. Paley or one of his successors. I will only say it might be a little like the comment on an ex-Senator from Alabama, who was then in the law practice with a partner—both great lawyers and good men—real leaders at the bar. They practiced in the wire-grass counties of Alabama. In the summer of 1865 cotton was selling as high as 50 cents per pound. "The Yankees" (I merely quote) wanted the cotton and they took the cotton. From one old farmer they took over 100 bales, merely on the plea that they needed it in their business. The ex-Senator and his partner (Colonel C.) were employed to recover the cotton. But about that time Colonel C. went off on business and the ex-Senator was left to manage the case alone. He was equal to the task, or almost any other, if ability was the thing needed. There were no courts. So the ex-Senator went to the head military officer of that "province" and recovered the cotton and received his fee. If you had ever heard his voice (deep as a church bell, earnest almost to adjuration, with will power in every tone) you would know why that cotton did not go into the dive for "captured and abandoned property." Colonel C. returned, sad and poor, repeating over to himself, to keep up his courage—

Is there, for honest poverty,

That hangs its head, and a' that?

The coward slave, we pass him by,

We dare be poor for a' that!

For a' that, and a' that,

Our toil's obscure, and a' that;

The rank is but the guinea's stamp;

The man's the gowd for a' that.

This Colonel was not accustomed to being poor, nor did he have any "longing" for the beauties or blessings of poverty. He went to his office and met his partner, who handed him \$2,500 without saying a word. "What am I to do with all this money?" demanded the Colonel. "That is your half of our fee in the cotton case," answered his partner.

The Colonel counted over the money with great gravity, yet solemnly smiling, and when he had finished the count he turned to his partner and with philosophical solemnity remarked, shaking his head: "Well, well, we have escaped the poorhouse, but are we not rubbing up against the walls of the penitentiary?" [Laughter.]

Mr. President, "I tell the tale as it was told to me." It is old, and there are other versions. The beneficiaries under this bill, if it passes, can never be in danger of the poorhouse.

There is a very unusual and crafty method in this bill; the subsidy must first be contracted for, and the contract is to be made by the United States of the first part, acting by the Secretary of the Treasury, and the shipowner on the other part. The purpose in framing the act so as to operate by contract and not directly is twofold. The first purpose is to prefer favorites, whose ships are distinctly pointed out by description, partly finished and with an established trade, and partly to be built in foreign shipyards, with contracts for their building, filed two years ago, illegally, in the office of the Secretary of the Treasury, as I have heretofore explained.

The second purpose is to fasten liability on the United States by a contract which, the shipowners claim and this bill provides, can not be changed or violated without impairing the obligation of the contract.

This is a radical departure from the ordinary course of legislation. For example, the Congress for years has been engaged every session in granting authority to railroads and other corporations to build bridges across the navigable waters in the States and Territories. These grants of authority to build bridges always amount to a contract between the United States and the bridge owner, because the United States always requires that the Government shall have the right to use the bridge as a post road and highway, so that there is a consideration for the grant. These bridges are very costly, some of them costing over \$100,000 and some of them costing over \$1,000,000. Yet the Congress always puts into these bridge acts the clause reserving the right on the part of the Government to amend or repeal the grant at any time in the future.

We are all accustomed to see the bridge bills reported by the junior Senator from Missouri [Mr. VEST], and he, with the eye of an eagle and courage unlimited, sees at a glance the omission of the repealing clause, as well as the vices in other bills, and points out such vices so clearly that the blind are made to see them.

Last Saturday a Senator from North Carolina [Mr. BUTLER], with optics sharp

To see what is not to be seen—

found where the Senator from Missouri had slipped up and omitted to put in the clause for the repeal, as he supposed or guessed at. In consequence, the bill was amended so as to put in the repealing clause. In that way we had two repealing clauses in the same bill, and this morning the Senator from Missouri modestly suggested that he did not think two repealing clauses ought to be in the same bill, and by a legislative turn-back the bill now has but one repealing clause. Then the Senator from South Dakota [Mr. PETTIGREW], who also has a keen vision, and who sees the thing whether it is there or not, charged the Senator from Missouri with omitting the clause allowing the use of a certain bridge by other railroads, but on looking into the RECORD it was found that that omission was, against the protest of the Senator from Missouri, ordered by the committee as a special exception.

Mr. President, a mighty and helping hand will be lost by this Senate and this country when this great debater from Missouri retires to private life.

These bridges are considered of vast importance to commerce in the States and Territories, and to the United States as a Government; but Congress has manifested an absolute determination not to allow any of these bridge acts to be made irrevocable; so Congress can at any time repeal any bridge act and thus make the bridge an unlawful structure, and force the owners to pull it down.

Here, however, these favorites, shipowners, are to be protected and made secure by an irrevocable contract intended to secure to them this most extravagant bounty through the long years named in the bill.

Now, suppose the Congress should deem it wise to repeal this act, and had reserved the power to do so, what would the shipowners lose? Nothing in the world but the subsidy. Their ships would still be their own, to be used as they chose to use them in any lawful trade; they would have no costly structures destroyed by the repeal of the bill, as the bridge owners would have if their bridge acts were repealed after the bridges were built.

So it is made manifest that the beneficiaries under this bill, if it passes, are to be declared prime favorites of the nation—far more dear than even the transcontinental railroads.

Mr. President, there is something radically wrong with this bill.

The junior Senator from South Carolina, with very marked ability and with the enthusiastic heat of a convert, distinguished himself over all his associates in advocating the passage of this bill.

South Carolina has never been famous for the graceful ease with which she surrenders her rights or her opinions or the ground on which she had taken her stand. I call General Jackson to prove that South Carolina maintained her rights, as she claimed them, with a firmness amounting to obstinacy. Calhoun may testify that her opinions were never surrendered by his State in his day and generation.

And let Elliott, on the ruins of Fort Sumter (whose modesty and brave endurance will forever honor South Carolina), and let the patriot soldiers, the "Palmetto Regiment" (the equal, if not superior, of any other regiment that ever fought for the United States), marching, under General Scott, "the road to death as to a festival" let all say how South Carolina held the ground on which she had taken her stand.

But times change and men change with the times. There was a time when no Democrat could vote to make this bill a law, because that party declared such measures repugnant to the Constitution, and declared for "fair play," for equal rights to all and special privileges to none.

The junior Senator from South Carolina in advocating this bill gave as a beautiful and interesting picture of the improved and still improving condition of the South in certain industries, and we all rejoice that these industries are prosperous and multiplying. The farmers and their business are not so fortunate, for though not as miserably encumbered as they have been, the mortgage curse is still upon them, and the tax curse is growing from bad to worse—especially the Federal taxation which has been growing larger and larger—for the plain purpose of enabling the Congress to pass measures like this, which gives \$9,000,000 each year for twenty-five years, amounting in the aggregate to \$225,000,000, to corporations and other shipowners. Every dollar of all these millions must come out of the pockets of the people. Yet, so far as I can understand, no farmer, as such, will be benefited to the amount of one cent by this monstrous extravagance. The only right to enact this bill is the fact stated by the wise man, "The rich ruleth over the poor."

It has been a fashion of some thirty years' standing, when a

statesman in our part of the world has made up his mind to turn his back on his party and his people he begins by praising trade and commerce and manufactories as more important than all other branches of industry, and this leads to the conclusion, in his mind, that all other industries and mankind generally should be taxed for the "protection" and support of these most important industries, as he calls them. Then it is an easy thing for him to convince himself that the opinions of the protected classes are of more value than the opinions of "All the world and the rest of mankind." Finally he announces that he has abandoned all his provincial prejudices and become a broad-minded American, and intends thereafter to follow the broad way of a statesman.

The PRESIDING OFFICER (Mr. BEVERIDGE in the chair). The Senator from Alabama will suspend for a moment while the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 3717) to make oleomargarine and other imitation dairy products subject to the laws of the State or Territory into which they are transported, and to change the tax on oleomargarine.

Mr. SPOONER. I ask unanimous consent that the unfinished business be temporarily laid aside, without losing its place, pending the conclusion of the Senator's speech and the consideration of the Post-Office appropriation bill.

Mr. PETTUS. I am nearly through.

The PRESIDING OFFICER. The Senator from Wisconsin asks that the unfinished business be temporarily laid aside during the remainder of the Senator's remarks and the consideration of the Post-Office appropriation bill. Is there objection? The Chair hears none, and it is so ordered.

Mr. PETTUS. Mr. President, if a Presbyterian pastor should preach to his congregation to the effect that the only safe road to the Promised Land went through baptism by immersion, some elder of that church whose "stocking had a deep, deep tinge of blue" would be certain to say, "If our pastor is a Presbyterian, he has a baneful Baptist bias."

So, if a Democrat should declare the wisdom, good policy, and impartial fairness of this bill, some plain Democrat might be tempted to exclaim, "If he is a Democrat, he has most remarkable 'Radical' proclivities."

Or, this plain Democrat, if he was in the habit of thinking in the language of the Bible, would probably say, "Ephraim is joined to his idols. Let him alone."

Mr. President, before we all get into this broad way of the broad-minded American statesmen—of taxing and grinding three-fourths of the people for the purpose of fostering and protecting a class—it would be a prudent precaution to look into "The Book" and try to learn "where we are at" and to what place we are going. We can get the needed information by reading Matthew vii: 13, as my preacher cites it.

A broad-minded American statesman some years ago was understood to mean a very great man, helping to govern this country, but in these years it means a man too big to stand inside the Constitution.

Mr. President, 1855 was the "Know-nothing year," and our thanks are due to the Master that they never had but one year. In that year the Know-nothings took all Alabama—as they supposed. Winston was governor, and he was the Democratic candidate for reelection.

Shortridge was a candidate for governor also. He had been a Democrat; but what he was then the people did not know. We had never seen a live Know-nothing, though everybody and the newspapers were mostly talking about them, and Shortridge was suspected of being one. These candidates met for the first time in Huntsville. Winston spoke first, and he had much to say against the Know-nothings and their secret way of planning and plotting, though he declared that he had never seen a live Know-nothing.

Shortridge followed. He was tall and handsome. He stood looking a second at Winston, then said: "Governor, you say that you never saw a live Know-nothing. Look here," placing his hand on his breast, "Here is a live Know-nothing."

"Yes," replied Winston, in a sharp, ringing voice, "a live Know-nothing, and a dead Democrat."

And the people said, "Amen." [Laughter.]

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2432) granting an increase of pension to James A. Thomas.

The message also transmitted to the Senate resolutions of the House commemorative of the life and public services of Hon. JOHN H. HOFFECKER, late a Representative from the State of Delaware.

The message further announced that the House had passed a

bill (H. R. 9829) to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills:

A bill (H. R. 321) for the relief of legal representative of Samuel Tewksbury, deceased;

A bill (H. R. 3206) to correct the military record of Thomas Dunn;

A bill (H. R. 3599) for the relief of Lewis M. Millard;

A bill (H. R. 5324) for the relief of the employees of William M. Jacobs;

A bill (H. R. 8474) to remove the charge of desertion from the military record of Gustavus Adolphus Thompson;

A bill (H. R. 10700) to confirm a lease with Seneca Nation of Indians;

A bill (H. R. 11786) to declare a branch of the Mississippi River opposite the city of La Crosse, Wis., and known as West Channel, to be unnavigable, and that the said city be relieved of necessity of maintaining a draw or pontoon bridge over said West Channel;

A bill (H. R. 13633) to amend section 4472 of the Revised Statutes so as to permit the transportation by steam vessels of gasoline and other products of petroleum when carried by motor vehicles (commonly known as automobiles) when used as source of motive power; and

A bill (H. R. 18706) regulating assessments for water mains in the District of Columbia.

PAYMENT OF CERTAIN CLAIMS.

Mr. WARREN. I wish to ask unanimous consent that when the Senate adjourn to-day it be until 10 o'clock to-morrow morning, in order that immediately after the routine business we may take up for reading the bill (H. R. 13382) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes, known as the omnibus bill, and proceed with its consideration until the floor is called for by some more privileged bill or question.

The PRESIDING OFFICER. The Senator from Wyoming asks unanimous consent that when the Senate adjourn this evening it shall be to meet at 10 o'clock to-morrow morning, to read and consider what is known as the omnibus claims bill. Is there objection?

Mr. BUTLER. I object.

Mr. BACON. I wish to inquire how much of the morning will be consumed in reading the bill?

The PRESIDING OFFICER. Objection is made.

Mr. BACON. I do not object.

The PRESIDING OFFICER. The Chair will state to the Senator from Georgia that objection was made.

Mr. BACON. Very well.

Mr. WARREN. Do I understand that there is objection to my request?

The PRESIDING OFFICER. Objection was made by the Senator from North Carolina [Mr. BUTLER].

HOUSE BILL REFERRED.

The bill (H. R. 9829) to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea in the city of St. Louis, in the State of Missouri, was read twice by its title, and referred to the Select Committee on Industrial Expositions.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the following acts:

An act (S. 419) amending the act providing for the appointment of a Mississippi River Commission, etc., approved June 28, 1879; and

An act (S. 5775) to authorize the Glassport Bridge Company to construct and maintain a bridge across the Monongahela River, in the State of Pennsylvania.

POST-OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13729) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902.

Mr. WOLCOTT. Mr. President, I ask that, in accordance with the unanimous-consent agreement, the committee amendments to the bill be first read. Perhaps before the bill is considered it

would be of interest to the Senate if I should, in a few words, state the general scope and character of the appropriation bill of this year as compared with the appropriations of last year.

The bill now reported to the Senate carries appropriations of \$124,308,088.75; the amount of the bill as it came from the other House was \$123,782,688.75; the Senate amendments have added \$525,400. Those include \$500,000 for pneumatic-tube service, \$20,000 for experimental free rural delivery in hamlets and small towns which are not now receiving rural free mail delivery and in which the carrier system does not prevail, \$1,000 to enable the Postmaster-General to experiment with economic postage or other patents for return postal cards without the prepayment of postage, and a small increase in the salaries of superintendents of the Railway Mail Service.

The bill as reported from the committee adds to the appropriations of a year ago something over \$10,000,000. This increase comes chiefly from a few items. The sum of \$1,750,000 is added for rural free delivery, something like \$2,000,000 is added for salaries of postmasters growing automatically from the increase of business under existing law, some \$800,000 comes for increased mail pay because of the increased weight of the mail carried and the increased number of postal cars in use, for increase of salaries of post-office clerks the amount is \$1,534,000, and for letter carriers \$1,293,000.

These items cover the increases of the bill as it came from the House and as reported to the Senate over the appropriations of last year.

It may also interest the Senate to know the percentages of increases. Two years ago the appropriations were increased 3.6 per cent, with an increase of revenues of 7.15 per cent. For the fiscal year 1900-1901 the Post-Office appropriations were increased 7.7 per cent and the increase of postal receipts was 7.5 per cent. Under this bill the increase is 9.37 and the increase of revenues is estimated at 5.66 per cent. The deficiency estimated in the postal receipts for the current year is something exceeding \$8,000,000.

I think that perhaps covers the general figures of the bill. I will ask that the Secretary now state the Senate committee amendments, the first one of which is on page 12.

Mr. CHANDLER. I ask the chairman of the committee whether he has any statement of the actual postal deficiencies in preceding years?

Mr. WOLCOTT. Yes.

Mr. CHANDLER. The amount is about \$8,000,000 this year.

Mr. WOLCOTT. I will state to the Senator from New Hampshire that I have the deficit for every year from 1880, and I will say to the Senate that since 1880, for the last twenty years, there has been a deficit in the receipts as compared with the expenditures of the Post-Office Department, except during the years 1882 and 1883. Going back ten years, I will say to the Senate that the deficit, in round numbers, in 1890 was \$5,000,000; in 1891, \$8,000,000; in 1892, \$6,000,000; in 1893, \$5,000,000; in 1894, \$9,000,000; in 1895, \$9,000,000; in 1896, \$8,000,000; in 1897, \$11,000,000; in 1898, \$9,000,000, and in 1899, \$6,000,000.

The deficit for the present year, as I have said, is estimated at \$8,000,000, and the Senator from New Hampshire and the Senate will understand that this deficit in the revenues of the Post-Office Department exists notwithstanding the enormous increase of first-class postage; but it arises from the fact, that has been stated again and again in the Senate, that 65 per cent of the weight of the mail carried through the country is transported for 3 per cent of the revenue derived from it. I refer to second-class mail matter, which is carried at 1 cent a pound.

Now, I ask that the amendments of the committee be read and acted upon.

The PRESIDING OFFICER. The Chair will state, for the information of the Senator from Colorado, that the unanimous-consent agreement was that the bill be read and that the committee amendments be first acted upon; not that the committee amendments alone be read.

Mr. WOLCOTT. Very well.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary proceeded to read the bill (H. R. 13729) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902, which had been reported from the Committee on Post-Offices and Post-Roads with amendments.

The first amendment was, under the subhead "Office of the First Assistant Postmaster-General," on page 12, line 6, after the word "rental," to insert "or purchase;" so as to read:

For rental or purchase of canceling machines and motors and power therefor, \$190,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 24, to insert:

For the experiment in cities, towns, and villages not now free-delivery offices of the delivery of mail through mail repositories or compartment boxes, including the cost of the boxes, repository, and salary of persons to serve such box or repository, \$20,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Second Assistant Postmaster-General," on page 16, after line 4, to insert:

For transportation of mail by pneumatic tube or other devices, by purchase or otherwise, \$500,000; and all existing provisions of law prohibiting additional contracts for pneumatic-tube service are hereby repealed.

Mr. BUTLER. Mr. President—

Mr. WOLCOTT. Just a moment, if the Senator will permit me. This amendment is certain to meet with discussion. The former amendment, a few pages back, was adopted by the Senate as to the experiment of rural free delivery in villages. As to this amendment, if there be no objection, I should be glad if it could go over, and so much of the bill as is not subject to discussion be passed first, and then we can come back to the contested items, if that meets the views of the Senator from North Carolina.

Mr. BUTLER. Very well.

Mr. MASON. Mr. President, I desire to make this suggestion, with the consent of the chairman. I am informed that the Senator from North Carolina is to discuss the question of railway mail pay. I happened to be absent from the Chamber for a few moments, and I should like to have it understood if we are to have an opportunity to discuss that amendment.

Mr. WOLCOTT. Certainly. We shall discuss all the amendments in their order. It is a matter immaterial to me. There are only about three items that I think are to be discussed; and it seems to me, if we can finish the rest of the bill first, it would be better to do so.

Mr. CHANDLER. Then I understand that in a general way all the controverted questions go over until the whole bill is read?

Mr. WOLCOTT. Yes; all the committee amendments that are controverted will go over until the bill has been read and the amendments adopted to such an extent as we can agree to them. Then we can go back to the committee amendments as to which there is a controversy, and determine those.

Mr. CHANDLER. The entire bill to be read as far as it is unobjected to?

Mr. WOLCOTT. Yes.

Mr. KENNEY. This is the first amendment about which there is any controversy?

Mr. WOLCOTT. The first one.

Mr. KENNEY. And, as I understand, there are only two more?

Mr. WOLCOTT. Only two more.

Mr. MASON. But I understand the amendment regarding railway mail pay will be first discussed.

Mr. WOLCOTT. That is a matter of indifference to me.

Mr. MASON. Mr. President—

Mr. WOLCOTT. I wish to correct myself. The question of railway mail pay is not a committee amendment.

Mr. MASON. I understand that. I only stated that the Senator from North Carolina [Mr. BUTLER] desired to address himself to that subject.

Mr. WOLCOTT. I suppose we shall dispose of the committee amendments first.

Mr. LODGE. But the question of railway mail pay is open to debate at any time?

Mr. WOLCOTT. Yes.

Mr. LODGE. We are only disposing now of committee amendments?

Mr. WOLCOTT. Of committee amendments; that is all.

The PRESIDING OFFICER (Mr. CLAY in the chair). The Chair understands the Senator from Colorado to ask to have the contested committee amendments passed over until the other amendments are disposed of?

Mr. WOLCOTT. Yes.

The PRESIDING OFFICER. The Chair hears no objection, and that will be the order.

The reading of the bill was resumed. The next amendment of the Committee on Post-Offices and Post-Roads was, on page 16, line 24, before the word "stamped," to strike out "and;" in line 25, after the word "paper," to insert "mail equipment;" and on page 17, line 1, before the word "to," to insert "or depositories;" so as to make the clause read:

For inland transportation by railroad routes, of which a sum not exceeding \$60,000 may be employed to pay freight on postal cards, stamped envelopes, stamped paper, mail equipment, and other supplies from the manufacturing or depositories to the post-offices and depots of distribution, \$34,700,000.

The amendment was agreed to.

The reading was continued to the end of line 4, on page 17.

Mr. BUTLER. I understand the bill is simply being read, and we are not adopting any of the sections.

Mr. WOLCOTT. We are adopting everything not controverted.

Mr. LODGE. Committee amendments.

Mr. WOLCOTT. Committee amendments. Then any amendments offered not a committee amendment will be received, and will come in in due order.

Mr. BUTLER. Then, between line 22, on page 16, and line 4, on page 17, are two items to which I wish to offer amendments

and which I wish to discuss. We have not adopted them any further than perfecting them?

Mr. WOLCOTT. We have adopted them, subject to such amendments as may be offered by Senators, as the Senator from North Carolina wishes to offer his amendment.

Mr. BUTLER. When we finish the bill—

Mr. WOLCOTT. The whole bill will then be open to amendment.

The reading of the bill was resumed. The next amendment of the Committee on Post-Offices and Post-Roads was, on page 17, line 12, before the word "hundred," to strike out "six" and insert "eight;" and in line 13, after the word "clerks," to strike out "in charge of lines;" so as to make the clause read:

Railway Mail Service: One General Superintendent, at \$3,500; 1 Assistant General Superintendent, at \$3,000; 1 chief clerk, office of General Superintendent, \$2,000; 11 division superintendents, at \$2,700 each; 11 assistant division superintendents, at \$1,800 each; 22 assistant superintendents, at \$1,800 each; 95 chief clerks, at \$1,000 each.

The amendment was agreed to.

The next amendment was, on page 18, line 24, to increase the total appropriation for the Railway Mail Service from \$10,374,700 to \$10,379,100.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Third Assistant Postmaster-General," on page 22, after line 18, to insert:

For testing the practical use of return coupon postal cards and envelopes, postage thereon to be prepaid at the regular rates by cash deposit at the office of delivery, under such rules and regulations as the Postmaster-General may establish, and to report the result of such tests to the next session of Congress, \$1,000.

Mr. LODGE. I ask that the amendment may be passed over for the present.

Mr. WOLCOTT. Let it be passed over with the others.

The PRESIDING OFFICER. The amendment will be passed over.

The reading of the bill was resumed and concluded.

The PRESIDING OFFICER (Mr. BEVERIDGE in the chair).

The first committee amendment passed over will be stated.

The SECRETARY. On page 16, after line 5, it is proposed to insert:

For transportation of mail by pneumatic tube or other devices, by purchase or otherwise, \$500,000; and all existing provisions of law prohibiting additional contracts for pneumatic-tube service are hereby repealed.

Mr. WOLCOTT. Mr. President, this amendment, which appropriates \$500,000 for the extension and use of pneumatic tubes throughout the country, is, with a slight difference, the same amendment that came before the Senate at the last session of the present Congress. It differs in that the contract for the use of the pneumatic service in existing cities—

Mr. LODGE. Mr. President, this is a very important matter and I think we ought to have a quorum present.

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. LODGE. I rise to a point of order.

The PRESIDING OFFICER. The Chair begs pardon.

Mr. LODGE. I think we ought to have more Senators here. I make the point of order that there is no quorum present.

The PRESIDING OFFICER. The Senator from Massachusetts suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Deboe,	Kenney,	Quarles,
Allison,	Depew,	Kyle,	Scott,
Bacon,	Dillingham,	Lindsay,	Simon,
Bard,	Dolliver,	Lodge,	Spooner,
Bate,	Elkins,	McComas,	Sullivan,
Berry,	Fairbanks,	McCumber,	Teller,
Beveridge,	Foster,	McMillan,	Thurston,
Butler,	Frye,	Martin,	Tillman,
Caffery,	Gallinger,	Mason,	Turley,
Chilton,	Hanna,	Morgan,	Vest,
Clapp,	Hansbrough,	Nelson,	Warren,
Clark,	Hawley,	Perkins,	Wetmore,
Clay,	Heitfeld,	Pettigrew,	Wolcott,
Culbertson,	Jones, Ark.	Pettus,	
Cullom,	Jones, Nev.	Platt, Conn.	
Daniel,	Kean,	Pritchard,	

The PRESIDING OFFICER. Sixty-one Senators have answered to their names. A quorum is present.

Mr. WOLCOTT. Mr. President, as I started to say a few moments ago, this amendment is practically the same amendment that was presented and discussed at great length during the last session of Congress, except that the existing contracts for the use of the pneumatic-tube service in the cities of New York and Brooklyn, Philadelphia and Boston expire by limitation of law on the 1st day of July of the current year, and this appropriation is probably intended to cover some sums for the reenactment of the agreement for future service in existing cities.

I desire to say that this is a committee amendment, but that some of us in the committee were opposed to the amendment. I

feel, although I am chairman of the committee and in charge of the bill, that as I am opposed to the amendment I should not, in the first instance, discuss it, and I will ask some member of the committee who favors the amendment to take charge of it in the Senate. Of course I shall desire later to say something upon it.

Mr. ALLISON. Mr. President, as I read this amendment it is a legislative enactment, and therefore is subject to the point of order, being new legislation. I make that point.

The PRESIDING OFFICER. Does the Chair understand the Senator from Iowa to raise the point that the amendment proposes new legislation on an appropriation bill?

Mr. ALLISON. That it proposes general legislation in that on its face it repeals the existing law upon this subject.

Mr. MASON. It repeals only one part of another appropriation act.

The PRESIDING OFFICER. The Chair thinks the point of order is well taken, and sustains it.

Mr. MASON. I should like to be heard on the matter.

The PRESIDING OFFICER. The Chair did not know that the Senator from Illinois had risen to address the Senate upon this matter. The Chair will withhold its decision until the Senator from Illinois is heard. If the Chair is wrong, it will be very glad to be put right.

Mr. MASON. Mr. President, this is the same amendment that was offered two years ago. No point of order was made at that time, and no friend of the pneumatic-tube service dreamed that it would be made at this time. At the last session we asked the Postmaster-General to make a report upon this service. He has made a very exhaustive report, and reports very strongly in favor of it. It is not new legislation in a sense, because it repeals only a part of another appropriation act. The act referred to was an appropriation act, and the point of order would not lie, for the reason that this is in the estimate made by the Postmaster-General. It is in accordance with an estimate made for this appropriation.

The matter was under discussion at great length at the last session of Congress. It is not new legislation, but it does repeal a part of the appropriation act of another year which limited the appropriation for new enterprises of this kind. It is based upon an estimate, and under the rules of the Senate, when based upon an estimate by the Department, it is not subject to a point of order.

Mr. WOLCOTT. I should be very glad to be shown where the estimate is, for I have never seen an estimate.

Mr. MASON. It is an estimate or a statement by the Postmaster-General, and it is a recommendation of the Postmaster-General for that amount. I will find it.

If the Chair has any doubt about it, or if the Chair has any intention of ruling out the amendment, which is a matter of very great importance, I should like to have the President pro tempore of the Senate determine it.

Mr. KENNEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Delaware?

Mr. MASON. Certainly.

Mr. KENNEY. I call the attention of the Senate to the report of the Postmaster-General, page 215, where I think will be found the estimate made, as is suggested by the distinguished Senator from Illinois.

Mr. MASON. There is no doubt about the estimate. I knew I had seen it as an estimate, but whether from the Treasury Department or the Post-Office Department I was not certain.

The PRESIDING OFFICER. While the Chair does have a clear view upon this subject and is not in doubt, yet he does not wish to force his view upon the Senate. It seems to the Chair, in view of the fact that the latter part of the amendment repeals law, that it proposes general legislation, and therefore it would appear to be very clear that it is subject to the point of order. But the Chair would be glad to be advised.

Mr. ALLISON. There is no question about this being general legislation. Unless the clause is put here it is impossible for the Postmaster-General to make a contract. He is prohibited by existing law from doing it. Unless, therefore, the existing law is repealed he can not make a contract for these tubes.

Mr. MASON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Illinois?

Mr. MASON. I thought the Senator from Iowa had finished.

Mr. ALLISON. I had finished what I had to say. I make the point of order.

Mr. MASON. I should like to have the President of the Senate pass upon this question. He is more familiar with the rules of the Senate.

The PRESIDING OFFICER. The Chair is very anxious indeed to have the President of the Senate so do, but the present occupant of the Chair does not know where the President of the Senate is.

Mr. MASON. It is not necessary that it shall be disposed of

now. The Senator from Iowa does not press for a decision at this moment.

Mr. ALLISON. I am perfectly willing that it shall be passed over.

Mr. TELLER. The statement that the Postmaster-General has recommended the repeal of this law does not make the amendment in order.

Mr. MASON. No; I do not say that. I say that he has put it in his estimate, and because of the fact that it repeals only a part of an appropriation act the point of order does not lie. It does not repeal legislation, but repeals a rule laid down in an appropriation act. You certainly can not pass on an appropriation bill a law so dignified that it takes a special act to repeal it. I understand that the point of order has been withdrawn for the present.

The PRESIDING OFFICER. The Chair will state that if the Senator making the point of order presses the point for decision now, the Chair will hold that the point of order is well taken; that the amendment proposes general legislation, and therefore should go out.

Mr. TELLER. Beyond question.

The PRESIDING OFFICER. But if the Senator does not press the point, it will go over.

Mr. ALLISON. I understood that the Senator from Illinois desired that the amendment should be passed over for the moment and that we should go on with other portions of the bill. I do not object to that course. Of course I do not withdraw the point of order.

Mr. MASON. I understand that. When I was called from the Chamber, being on the Committee on Post-Offices and Post-Roads and having a most important matter before the Committee on Commerce, I asked that this amendment might be taken up when I could be here. The Senator from North Carolina [Mr. BUTLER] wishes to make some extended remarks upon another branch of the bill, and I hoped to have an opportunity to be heard upon this matter, which interests my city and my State. I should like to have this amendment and its consideration temporarily passed over.

Mr. WOLCOTT. Everybody is desirous of obliging the Senator from Illinois. Suppose the decision upon the point of order, which must always stand in front of this amendment until it is disposed of, be withheld and that we take up the next amendment. Does that meet the views of the Senator from Illinois?

Mr. MASON. That is all I ask.

The PRESIDING OFFICER. The Chair was about to suggest that the next amendment of the committee which has been passed over be stated.

The SECRETARY. On page 22, after line 18, the Committee on Post-Offices and Post-Roads reports as an amendment the insertion of the following:

For testing the practical use of return coupon postal cards and envelopes, postage thereon to be prepaid at the regular rates by a cash deposit at the office of delivery, under such rules and regulations as the Postmaster-General may establish, and to report the result of such tests to the next session of Congress, \$1,000.

Mr. BUTLER. Mr. President—

Mr. ALDRICH. I think the amendment is subject to the same point of order.

Mr. BUTLER. I was going to make the point of order. I think it lies.

The PRESIDING OFFICER. The Chair will be very glad to have the Senator from Rhode Island state the ground upon which the point of order is made. Is it that the amendment proposes general legislation?

Mr. ALDRICH. That it is general legislation.

Mr. CHANDLER. Will the Chair kindly hear some suggestions in connection with the point of order raised by the Senator from Rhode Island?

The PRESIDING OFFICER. The Chair begs pardon of the Senator from New Hampshire.

Mr. CHANDLER. Mr. President, it is not usual to make a point of order upon an amendment of this nature. If the Senator from Rhode Island, who makes the point against this little appropriation of \$1,000 to enable the Postmaster-General to investigate the subject of return postal cards and envelopes, follows up his strict devotion to what he understands to be the rules of the Senate, the Senator will undoubtedly throw out of bills that are yet to come before the Senate a great many appropriations which are being considered in the Senate, and it will be useful. I doubt whether the Senator from Rhode Island will be as strict as that. I doubt if he will give his attention to the appropriation bills so assiduously as to make the point of order against other amendments similar to that which he makes against this, and therefore I hope the point of order will be withdrawn. Otherwise I shall feel, if this strictness is to be observed, obliged to make the point of order on a great many amendments that will be proposed in the Senate to other bills.

Mr. President, I hardly see why this is general legislation. I would be very glad to have the Chair in ruling, if the Chair does

rule upon the point, define what is general legislation. This, in a certain sense, is specific legislation. The Postmaster-General is carrying on the postal service. It is his business to investigate a subject of this kind without any direction from Congress. Here is a question as to whether this is, as it is claimed to be, an existing evil, by which when one person is writing to another and sends a postal card for reply which is not used by the person to whom it is sent the sender loses the 1 cent. In other words, the Government gets the 1 cent without rendering any service for it. Now, that is an existing evil. It is a wrong, in a certain sense, to the public to collect this money without giving any return for it. It is the business of the Postmaster-General to investigate this imperfect working of the service and to report to Congress any defect he finds in the service in this connection and any remedy which he thinks he can apply. We simply give him \$1,000 to enable him to do that. We do not change existing law, although there is no rule of the Senate against an amendment changing existing law. We do not change existing law, and we do not enact what I should call general legislation, as I have heard the rule discussed in this body.

Mr. President, wherein is it general legislation for the Senate to say to the Postmaster-General, we would like to know whether this little evil, or this large evil, can be corrected, and here is a thousand dollars with which you must find out for us? The Chair will have to rule out almost every amendment that can be conceived of that is offered which contains anything in the world except a sum of money proposed to carry out existing obligations if this amendment is to be ruled out on a point of order.

Mr. President, it is not a small question. The Senate has always insisted on its right to control—

Mr. ALDRICH. Mr. President, to relieve the apprehensions of my friend from New Hampshire, but not for the reasons suggested by him, I withdraw the point of order, in order that the proposition may be discussed on its merits.

Mr. CHANDLER. If the Senator had kindly withdrawn it for the reasons I was giving, I should not have been obliged to say any more.

Mr. ALDRICH. I withdraw it for other reasons.

Mr. CHANDLER. Inasmuch as the Senator doubts the correctness of my reasons, I trust the Chair will allow me to go on and give them.

The PRESIDING OFFICER. The Senator from New Hampshire will proceed.

Mr. CHANDLER. The Senate has always insisted upon its right to direct how a particular appropriation shall be expended. It has held that it had unlimited power over the methods of expending money, appropriations for which are contained in the bill. I noticed with regret a few days ago, when the Senate undertook to put limitations upon the method of expending an appropriation contained in the bill, the objection was made that those limitations could not be adopted because they did not happen to be the law at that time.

Mr. President, the Senate should insist, as it seems to me, upon its full and ample right to direct in what particular way all the appropriations upon any bill should be expended, and it should insist in the case of this amendment upon its discretionary right, without having it ruled out of order as general legislation, to give to the Postmaster-General sums of money with which he may undertake to improve an imperfect postal system.

Mr. WOLCOTT. Mr. President, as the point of order has been withdrawn, and the Senator from New Hampshire [Mr. CHANDLER], a member of the committee, has given the Senate some views as to the general character of the amendment, I have but a word to say about it.

It is an old friend with a new face. It is the old economic postage scheme that has been hawked about in the Senate for the twelve years I have been here, always a patent, always to be used by the Department upon royalties which are not disclosed, and, until this session of the Senate, uniformly condemned by every Postmaster-General who has occupied that chair.

The present Postmaster-General less than two years ago expressed his condemnation of any attempt to use return postal cards, not prepaid, by any company. His predecessor, Postmaster-General Gary, has written a very valuable report, which I have before me, condemning it. Postmaster-General Bissell likewise condemned it. Ever since the patent has been granted and the attempts have been made to secure Government use of it, it has been universally condemned by the Department.

The scope now is sought to be changed by permitting the Postmaster-General to determine how these reply envelopes may be used and to experiment concerning them. The amendment reported by the committee was a modification of an amendment which the Postmaster-General thought he was willing to undertake by an expenditure, if he found it practicable, of an unlimited sum to introduce some method by the Department for reply postage without prepayment.

Mr. President, I desire to say but a word about it. The theory upon which our postal service has been established, and on which

every postal service has been established, has been a cash system. We collect our postage in advance. The theory is prepayment; small amounts to be prepaid by whoever uses the mails; and we have inevitably put a penalty upon people who do not pay for their letters.

One of the great sources of revenue of the Post-Office Department comes from enterprising merchants and manufacturers who in writing to their customers inclose a stamped envelope for reply, with their name printed upon it. All of us get through the mails daily postal cards from such persons addressed to them, upon which we are to signify our assent to their proposition or our willingness to buy their goods or their merchandise. These people make no objection. There is no complaint to Congress or to the Department from the people who pay the postage, and the Department is enormously the gainer by it. It carries the postal card anywhere from the sender to the addressee, if there be such a word, and we bear the burden of that weight and pay for it. It may come back; but perhaps 60 per cent of them are unused, and the Government gets the postage. There is not a mail that any of us gets in which there does not go into the waste-paper basket from one to a dozen postal cards with a printed address on which we care to send no answer.

The theory of this proposed law is that somebody has invented a card and has a patent whereby you send through the mail a card similar to a postal card. The Government carries the burden of its carriage and pays for it just the same. But upon the side it is stated that the coupon is to be detached by the postmaster and that postage is to be paid on it when delivered to Richard Roe, the person whose name is stamped upon it. Then each postmaster and letter carrier who receives it is to open a set of books, and he is to show that Richard Roe, in the coal business in Washington, has received 20 patent envelopes, and he is entitled to present these to the office of an association or to the Postmaster-General and pay 20 cents, and there is an association which guarantees that he will do it. So if Richard Roe wants me to buy a ton of coal and would otherwise send a postal card, he may, doubting my willingness to buy his coal, send one of these cards; and if I do not answer Richard Roe, who sent me his postal card, the Government has carried it through under ordinary postage, and if I answer the man, must have a cent.

It means an enormous amount of bookkeeping; it means entering into contracts with patentees; and it means all through the ramification of the Post-Office Department, as each of the Postmasters-General has shown, the employment of a vast number of additional clerks and accountants and intricate confusion.

For instance, fourth-class postmasters get their little revenue out of the stamping of the stamps upon the envelopes. When they cancel a stamp, they get so much for it. These they do not cancel. If I put a letter in a fourth-class office and the postmaster puts his stamp upon it, he gets something out of it. That is the way we pay him. They are all poorly paid. If he sends this card, he does not stamp anything or get anything out of it at all.

It is a question of royalties on patents. The people who pay the Government for the postal cards which are not used make no complaint. It is the owner of a patent who will reduce the revenues of the Government, because fewer regular postal cards will be sent, and out of it the patentees will reap a reward.

Mr. President, it is an improvident sort of business for the Post-Office Department to enter upon. The payment of our postage is a little business. We have always held, as has every country, that if you want to use our post-office, you must pay 2 cents to use it. If you want to send out a postal card with an answer, you must pay 2 cents for the reply postal card. That is the only legitimate postal business upon which the Government can enter.

This scheme is not helped any by the suggestion that the card shall be issued by the Department itself. It simply means that the Department shall deal with patentees and that Congress will not deal with them.

I wish extremely that the Postmaster-General had retained the firm views which he held a year or more ago, when he said that all this was needless and that the Government itself, when the time came, would find the proper method, if a proper one was to be found. In a letter to General BINGHAM, in January of last year, he asks careful attention to the views of the former Postmasters-General, Gary and Bissell, and says:

I ask your careful attention to them as representing my own views, particularly to that part of the letter of Mr. Gary which shows that if the principle of the scheme proposed is likely to receive the favor of Congress, it would be much better—being easily practicable—for the Post-Office Department to manage the thing alone, and in its own way, than to accomplish the ends sought through some partnership arrangement with a private corporation.

Further he says:

Again, as the letter carriers at large post-offices would have to deliver the great majority of the coupon cards and envelopes to be put into use, should this scheme go into operation, and would thus have to be made accountable for postage collected thereon, a costly system of office accounts, involving nearly every carrier in the service, would be inevitable. In the opinion of the postmaster above referred to, the labor and responsibility connected with such accounts are enough to condemn the measure.

Now, it seems to me that if the Post-Office Department has had called to its attention some feasible and proper method by which a new means of sending letters not prepaid may be brought into public use, wisdom would require that the Postmaster-General should investigate and then report to Congress his plan, and then, if practicable, we could make an appropriation to meet it.

Mr. PLATT of Connecticut. May I ask the Senator a question?

Mr. WOLCOTT. Certainly.

Mr. PLATT of Connecticut. Do I understand that the Postmaster-General has recommended the amendment which appears in the bill?

Mr. WOLCOTT. No; he recommends one a great deal worse; that is, worse in my opinion. Here is the amendment recommended by the Postmaster-General:

That the Postmaster-General be, and he is hereby, authorized and empowered to make such arrangement as he may deem for the interests of the Government for the transmission in the mails of return-reply envelopes covering mail matter of the first class only, and return-reply postal cards, without the prepayment of postage thereon at the office of mailing, the postage, at first-class rates, to be collected before delivery at the office of destination; and he is furthermore authorized to enter into such contracts for carrying this provision into effect as he may consider best for the Government, and also to provide for the furnishing of said envelopes and cards by including them within the provisions of existing and future contracts for supplying stamped envelopes and postal cards to the general public, which envelopes and cards shall in all instances be furnished by the Post-Office Department.

That amendment we have changed and very much modified, as follows:

For testing the practical use of return coupon postal cards and envelopes, postage thereon to be prepaid at the regular rates by cash deposit at the office of delivery, under such rules and regulations as the Postmaster-General may establish, and to report the result of such tests to the next session of Congress, \$1,000.

Mr. PLATT of Connecticut. Do I understand that the chairman of the committee favors this amendment which has been reported?

Mr. WOLCOTT. Personally I do not favor any, but I am bound by the action of the committee, and so stated.

Mr. President, I just desire to say one word to finish the statement which I commenced. I will yield the floor in a moment.

In what I have said I do not intend the slightest reflection upon the Postmaster-General or the administration of his office. But I do believe the interest of the public service would be much better furthered if the investigation should be made first, which can be done without any appropriation, and then have Congress resorted to with a statement of what may be carried out. I think in the end the Postmaster-General himself would find this to be a much easier and better method of procedure.

Mr. PLATT of Connecticut. I hope this amendment will be rejected. I do not know whether any substitute for it has been offered. I think not.

Mr. WOLCOTT. There has not.

Mr. MASON. I have an amendment which I intend to offer and which I have had printed. I will say that the chairman was absent when I called upon him. It is the amendment suggested by the Postmaster-General.

Mr. WOLCOTT. The one I have just read?

Mr. MASON. The one the chairman of the committee has just read. It may be considered as offered for purposes of discussion.

Mr. PLATT of Connecticut. Mr. President, I hope certainly that this amendment will not pass, and I do not believe any amendment ought to be adopted. There is an old fable about an Arab who suffered his camel to put just his nose within the tent, and the result was that the camel occupied the tent and the Arab had to move out. I think that is just what is intended by this amendment. It is to allow the camel to put his head within the tent of the Post-Office Department, and if the amendment is agreed to, it will be a very little while before the entire camel, to wit, these outside patentees and speculators, will practically have possession of the Post-Office Department. I think certainly the amendment ought to be rejected. I think the letters of the Postmasters-General heretofore, which have said that the business of the Post-Office Department ought to be done for cash and by the prepayment of postage, are sound in principle.

I see no reason for the adoption of this scheme, which has attracted the attention of Congress for some years. It is not asked for, I understand, by business men. Certainly the letter of Postmaster-General Gary says there has been no demand for it to any extent from business men. It comes from people who have a patent, who want to sell their patent, and who, if they can get a recognition through Congress of this scheme of theirs, will be able to sell the patent.

Now, I am not going to take time about it. I think this amendment ought to go out of the bill, and I am inclined to think the whole matter ought to go out.

Mr. CHANDLER. Mr. President, I supposed when I rose to endeavor to secure the retention of this amendment in the bill that I was representing the unanimous action of the Committee on Post-Offices and Post-Roads. I understand the chairman now to say that personally he does not favor this provision. But in truth this provision is a compromise of certain contentions.

It is true that the so-called Economic Postage Company has been pressing this subject upon Congress for several years, and there has been passed through the Senate, in a separate bill, a provision for the adoption of their scheme, but it has never passed the House of Representatives. I have an impression that it once passed the House of Representatives.

Mr. WOLCOTT. Did it ever pass the Senate?

Mr. CHANDLER. I think it passed the Senate once.

Mr. WOLCOTT. It has not since I have been on the committee.

Mr. CHANDLER. Or it passed the House of Representatives and was not acted upon in the Senate. It is not material. I was only showing that the proposition which these people make has once met with favor in one branch or the other of Congress, and although the Postmaster-General for a series of years reported against it, yet at this session of Congress there came a recommendation from the Postmaster-General that he should be allowed to investigate it and to put the system in operation if he found it to be a judicious one.

That amendment was before the committee, drawn at the Post-Office Department, advocated by the Postmaster-General. It did not meet with favor from the committee, and the committee decided simply to put in a provision that the Postmaster-General might expend \$1,000 in testing the practical use of some system for avoiding this loss of postage to persons who purchase postal cards which are not used. It does not allow the Postmaster-General, having made the test, to put the system in use, but requires him to report tests to Congress.

This appropriation of \$1,000 for tests was a compromise of the whole question and was adopted, as I understood, unanimously by the Committee on Post-Offices and Post-Roads. Now the chairman says he thinks it is unwise. I am not certain that it is wise, but I do not see any harm in the amendment as it stands. I do not care a fig personally whether it is adopted or not, but I was speaking in behalf of what I believe to be only on the whole a wise conclusion unanimously adopted by the Senate committee.

Mr. PLATT of Connecticut. How can the Postmaster-General make the tests required by this amendment without testing the scheme of the men who have this patent and who wish to sell it? In other words, what test is to be made by allowing outside people to manufacture the envelopes, as I understand it, under this provision and then test its results? As it seems to me, this amendment concedes the whole scheme which has been contended for and voted down here as a job and a speculation.

Mr. WOLCOTT. Mr. President, only one word, which I intended to say before and did not. I have a natural and instinctive prejudice against this sort of an amendment, and one or two others that have come to us, owing to the fact that they have been before Congress for a long time when recommended by the Department and recommended before the commencement of the present session of Congress. The other legislative Chamber first considers an appropriation measure. That is known as the popular body of Congress. Whenever new schemes or new plans are sought by either the public or a Department to be adopted into law, every theory of good morals and good conduct demand that we should require that the Department should first go to the House of Representatives and to that body present its amendments. After this bill and other bills come over here, and we are supposed simply to deal with the provisions of the House, along come important and vital amendments which a Senate committee is supposed to tack onto the bill and which we are to fight through both Houses of Congress in a conference committee. I confess, Mr. President, it does not leave a clean taste in my mouth. I would much prefer that where there is a difference in these matters they should be fairly presented to both legislative chambers, and they should have a chance to discuss them.

Mr. BUTLER. Mr. President, the Senator from New Hampshire [Mr. CHANDLER] is not correct in saying that the committee was unanimous about this amendment. I do not think I was present when it was adopted, or I would have voted "no." I am sure that it has never commended itself to me as being a measure that the Department ought to undertake as long as private hands control it, even if it were otherwise good.

Mr. President, this is a scheme that many of us have been familiar with for a long time. The representatives of this concern have seen me, as I presume many other Senators, and we have given them as much time as the proposition deserves. But there is one consideration about it that ought to settle the question that we should not go into it now. It is going to reduce the revenues of the Government and increase the expenses of the Post-Office Department. That much is certain. Unless it is going to be a great public benefit we can not justify reducing the revenues and increasing the expenses. Is it going to be a great public benefit? I do not see how it can be as long as this private concern owns the whole outfit and we pay them a royalty, and we do not know how large the profit will be. Whenever the Postmaster-General can buy this patent and own it in behalf of the Government, and is ready to say to us that he considers it worth putting into use, and the Department shall own it and use it as a part of the postal

service, there will be plenty of time for us to decide whether it is for the public welfare and if we can stand the expense.

Mr. KENNEY. Mr. President, I desire to call the attention of the Senator to the difference between the amendment as recommended by the Postmaster-General and the amendment that was unanimously adopted by the Committee on Post-Offices and Post-Roads.

Mr. BUTLER. I will say to the Senator that I am very familiar with the difference between them. As the chairman of the committee has said, one is just a little worse than the other. That is the only difference.

Mr. KENNEY. I wish to call attention to it as I understand it. In the first instance, it provides that after an investigation by the Postmaster-General of this proposed system of return postal cards and envelopes, if in the judgment of the Postmaster-General it might be found to be proper, he shall go to work at once and make contracts. The committee did not believe that to be wise, and therefore they rejected the amendment as recommended by the Postmaster-General and unanimously recommend the amendment which is now under consideration.

The amount of appropriation called for in this amendment is \$1,000. I am not prepared to say, and I doubt whether there is a member of the Post-Office committee of the Senate who is able to say, whether this, if investigated, would prove to be for the best interest of the postal service and the best interest of the people or not. But I do contend that the small amount of appropriation provided for here, and with the limitation that the Postmaster-General under the provisions of this amendment can not enter into contracts, certainly is worthy of the consideration of the Senate, and in my judgment it should be adopted, so that there might be a test made of this system.

I differ with the distinguished Senator, the chairman of the committee, as to whether it is proper and necessary that the Postmaster-General or other heads of Departments or individuals in this country should first go to the House of Representatives and there present their ideas to be incorporated into acts of Congress. I consider that this Chamber is concurrent with the other, and there is no reason in the world why new ideas and plans should not be presented to committees of this body, whether they had before been presented to the other House or not.

The consideration of such matters by the Senate first is certainly no objection to the adoption of this or any other measure; and I myself, taking into consideration the recommendation of the Postmaster-General for a very much larger scheme, shall certainly support this appropriation of \$1,000 to test the system and see whether it would be for the best interest of the people and of the Post-Office Department, so that we may be able in the Senate and in Congress, as we are not now, to know just exactly the result of this test.

Mr. HAWLEY. Mr. President, I should like to speak briefly on this question. It is a topic quite familiar to me, and has been for fifteen or twenty years at least. The proposition now presented may not be precisely the same, but it has been from the beginning and I regard it still as a dangerous and unwise speculation which aims at taking away from the Government a considerable portion of its profits. Postmaster-General Gary and Postmaster-General Bissell each wrote very strong papers on this subject, and I should like to read an extract from what Postmaster-General Gary said:

From the foundation of the Government it has been its policy to exercise exclusive control over the operations of the postal service, and the experience of the nation has fully sustained the wisdom of this course. No private corporation has been or ought to be allowed to take any part in the management of this great public establishment, which comes so intimately into contact with all the people. Certainly its revenues should be collected and handled by its own servants, under the strict rules that now prevail and that keep the Department practically free from loss by defalcation. But this bill proposes to give up a part of such control, to allow a private association to become to a large extent the intermediary as to the payment of postage between the Government and the public—in a word, to compel the Government to enter into a contract with such association by which the Post-Office Department is to carry on its business not directly, as it is now doing, with all the people, but by arrangement with a private corporation and without any consideration.

If this radical departure from the present methods of transacting postal business be authorized, it will afford a precedent for some other; and if the door be thus opened where are the changes to end? My belief is that any attempt at an innovation of this nature should be unqualifiedly resisted.

For over forty years prepayment of postage has been the established policy of the Government. This policy is wise, simple, safe, and proper; it involves the cash instead of the credit principle in business—

This is a proposition full of credit instead of cash—

it renders unnecessary the system of espionage and of accounts which is more or less inevitable under any credit system, and it presents no temptation to postmasters, as was formerly the case, to make short returns of postage collected. Under the old system of optional prepayment, accounts were of a very complicated character, involving the examination of countless thousands of receipts, waybills, and other vouchers, which it was found impossible to intelligently handle; and so postmasters had an almost unlimited opportunity to speculate without detection. If the present bill should pass, costly accounts between the association and the postmasters, between postmasters and the Department, and between the Department and the association would be inevitable. And with it all there would no doubt be many resultant abuses which could hardly be controlled.

But admitting that the advantages claimed are likely to result, why should not the Government itself secure them directly instead of giving them away?

Why should a private corporation be employed as an instrumentality in the business? It is not necessary to use any patented article to accomplish the ends sought—any other thing properly devised would do as well or better. The coupon principle of the United States Economic Postage Association is not at all necessary. In plain words, the Post-Office Department might, by legislative authority, adopt some distinctive but simple forms of cards and envelopes, with proper inscriptions to explain their purpose, have them made returnable to the original senders without prepayment of postage, and sell them to anybody who needs them.

If there be any profit in this new scheme it should belong to the Government, which can carry it on just exactly as well as this Economic Postage Association, and to much better advantage, the Government having hundreds and thousands of skilled employees. Let us enter into this business; let us take the place of this outside corporation, seeking to make a few million dollars at the expense of the Government.

Mr. BACON. Mr. President, the Senator from New Hampshire [Mr. CHANDLER], in his presentation of this matter to the Senate, replying to the Senator from Colorado [Mr. WOLCOTT], stated that the bill did not authorize the Postmaster-General to put this scheme into practical operation, but that it simply provided for the appropriation of a certain sum of money in order to have the scheme tested. The Senator from Connecticut [Mr. PLATT] suggested, in reply, that there was no method by which the scheme could be tested except by putting it into practical operation. With a view to obtaining information—I am not a member of the committee, and I want all the information possible—I hope the Senator from New Hampshire will explain to the Senate, in response to the suggestion of the Senator from Connecticut, how it is practicable for the Postmaster-General to test this scheme except by putting it in practical operation.

Mr. PLATT of Connecticut. And by agreement with private parties who hold the patents. That is the only way it can be done.

Mr. BACON. I do not see how it can be done, even in that way. If this system is to be tested, it has to be tested practically; and if it is to be tested practically, somebody must have the privilege of sending through the mail the return cards. The Post-Office Department are to then see whether or not, when that is done, their system of bookkeeping is to be elaborate and complicated, and whether the collection of the postage would be easy and certain.

Is it the understanding of the Senator from Connecticut, in making the reply he did, that one single party is to be allowed to have the privilege of using the mails for that purpose in order that the test may be made?

Mr. PLATT of Connecticut. Certainly.

Mr. BACON. And the doors are not to be thrown open to all?

Mr. SPOONER. It is a patent.

Mr. BACON. It may be that the card which is to be used is patented, but the practical test of it must necessarily be made through the mails of the United States Government. Do I understand that that is the case? I rose, Mr. President, for the purpose of having the Senator from New Hampshire, if possible, give me information.

Mr. CHANDLER. Will the Senator allow me to answer him now?

Mr. BACON. With pleasure.

Mr. CHANDLER. Of course no scheme can be tested without putting it into practical operation. The difference between the provision for having a test made by the expenditure of a thousand dollars and the results reported to Congress, as proposed, we understand, by the full amendments submitted by the Postmaster-General, was that the latter gave him unlimited power to adopt it, not experimentally, but, if he deemed it advisable, for permanent use everywhere in the Post-Office Department. To that extent one was a broad and sweeping authority and the other was limited.

Further, I should like to say that the committee did not understand, even in adopting this amendment, that they limited the Postmaster-General to any particular scheme that might be already patented, but they provided that he might test the practical use of any scheme of return-coupon postal cards and envelopes, postage thereon to be paid at the office of delivery at the regular rate fixed.

Before the question is discussed any further I should like to have the Senator from Georgia allow the Senator from Illinois [Mr. MASON] to move, as an amendment to the committee's amendment, the proposition of the Postmaster-General, and then both propositions will be before the Senate.

Mr. BACON. I have no objection to yielding for that purpose; but I wish to continue briefly with some remarks on the subject.

Mr. MASON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Illinois?

Mr. BACON. Yes, for the purpose of offering the amendment.

Mr. MASON. The amendment has already been offered as a substitute for the committee amendment, and it has been read. That is the amendment which has been suggested by the Postmaster-General. Would the Senator care to hear it read?

Mr. BACON. I do not care to hear the amendment read. I understood the Senator from New Hampshire [Mr. CHANDLER]

to ask that the Senator from Illinois might be given an opportunity to present the amendment.

Mr. CHANDLER. I thought perhaps the reading of it would answer the Senator's inquiry.

Mr. BACON. I have already heard the amendment read.

Mr. CHANDLER. I thought it would perhaps answer the Senator's inquiry about the power intended to be given to the Postmaster-General by that amendment, which we limited by the amendment of the committee.

Mr. BACON. I understand that.

Mr. MASON. The amendment is already pending, or it is one of the pending questions.

Mr. PLATT of Connecticut. Mr. President—

Mr. BACON. If the Senator will pardon me a moment further—

Mr. PLATT of Connecticut. I beg pardon, I thought that the Senator had concluded.

Mr. BACON. It does not appear to me that the suggestion of the Senator from New Hampshire [Mr. CHANDLER] as to the way in which this practically is to be done is one which will commend itself to the judgment of the Senate. What is the suggestion? It is that certain parties who are interested in this scheme shall have the use of the mails for the purpose of testing whether or not this system can be safely and advantageously undertaken by the Government.

What is the test to be made? The test being one to ascertain whether these difficulties will be encountered, in the first place, what are the difficulties? The difficulties are those suggested by the Senator from Colorado [Mr. WOLCOTT]: First, that it necessarily entails a new system of bookkeeping, and a very vexatious and complicated one; second, that it depends for its success upon the payment by the parties who will guarantee this scheme and upon the possibility that they themselves may fail before the payment is made.

The point to which I want to call attention is this: Here is a test to be made by parties who are interested in the success of that test, and under the test to be thus made it is to be ascertained whether or not, among other things, the payment will be made by them when the demand is presented.

Of course, they will pay it, Mr. President; but one of the evils to be apprehended is that, in the general use of this system, payment will not be made when demand is made by the Post-Office Department. The test that is to be made here is by parties who will be interested in showing that payment will be made; and, of course, they will pay. The result of the test will be that they will come to Congress and say, "We have tested the matter and nothing was lost to the Government." I think the fact that nothing was lost in that test would be no guaranty that there would be no loss in the general application and use of this device.

I confess that, while I defer very greatly to the opinion of the Post-Office Committee, my inclination is very much in the direction of the position occupied by the chairman of the committee. The proposition does not commend itself to my favorable judgment.

Mr. PLATT of Connecticut. I think the whole principle is wrong, whether we consider either the amendment proposed by the committee or the amendment suggested by the Senator from Illinois [Mr. MASON], having the sanction, as I understand, of the Postmaster-General. The principle involved is that people may use the mails to send out postal cards or circulars soliciting trade and have no postage paid on those circulars so sent out or those postal cards so sent out, unless somebody orders goods from them. I think if people wish to advertise in that way, or to list orders in that way, there is no reason why they should not pay the Government the postage which the law now requires. I do not know why the Government should lose the amount of postage which it now receives upon envelopes or postal cards sent out to be returned with orders for goods; and I think that Postmaster-General Bissell was entirely right about it when he said:

It should be borne in mind, too, that people who thus send postal cards and stamped envelopes with the expectation of getting return messages are not, as a rule, making any complaint of loss on that account. In fact, it is fair to presume that they are really not sustaining any loss; otherwise the practice would not be kept up. In other words, the returns from, say, 10 per cent of the cards and envelopes thus sent are of sufficient value to the senders to warrant their throwing away the remaining 90 per cent.

I think the whole principle is wrong, and I do not think that we ought to incorporate anything about it in this bill.

Mr. TILLMAN. I should like to ask the chairman of the committee to tell us what there is about this postal card that is patentable, and how it is that some private corporation wants to get into partnership with the Government?

Mr. WOLCOTT. The coupon is the patent.

Mr. TILLMAN. Is that patentable?

Mr. WOLCOTT. They patent almost everything at the Patent Office, you know. The Department held that it was patentable, and I do not suppose anybody thought it was of enough value to contest the matter. The coupon is all that is patented.

The way this scheme is to work is this, I will say to the Senator from South Carolina, if I may have his attention for a moment—

Mr. TILLMAN. I am listening and looking, too.

Mr. WOLCOTT. A thousand people subscribe as clients of the Economic Postage Association or any other concern—I think they have changed the name of the corporation recently, but it smells just as sweet as under the old name—a thousand people subscribe, and they are furnished with these envelopes or postal cards. A thousand go to the city of New York with printed names and addresses to different merchants. The Government has not had the cent apiece on those postal cards, which it ordinarily receives; it does not get a cent apiece on them before it undertakes their carriage, and it does not exact a penalty from the persons receiving them because it has not had the cent apiece that it gets from other postal cards.

The carrier, instead of simply delivering the cards to the recipient, as he would ordinarily do, tears of the coupons and takes them back to the post-office, and they are marked and stamped in some way, showing that they were delivered. Then they are turned over to some clerk in the local post-office. He is then to call upon the office of this concern and say, "We carried a thousand of your cards to-day; give us \$20;" and then the Government collects the \$20 in payment of this postage. The amount is not allotted to the different post-offices that get them, but to this concern; it goes into the revenues of the company, and the company gets this money out of furnishing these cards to the people who subscribe. Take, for instance, some sarsaparilla compound or the Seven Sutherland Sisters, who send out a great many circulars. They subscribe to this company; they have the right to use these patent reversible envelopes, and they will pay so much a thousand for the privilege of using them.

Mr. TILLMAN. For the privilege of using these postal cards?

Mr. WOLCOTT. Certainly. The cards are sent out with a printed notice to the expected customer, saying, "When you order use this card." Ordinarily, people who send out stamped postal cards do not receive answers to more than 30 or 40 per cent of them. In this way they will save 60 per cent postage, and the Government will not receive its revenue, but it will carry the postal cards from the sender to the recipient, and that is all there is to it.

Mr. TILLMAN. Suppose the man who is interested does not choose to pay upon demand, then the Government loses the postage?

Mr. WOLCOTT. Yes.

Mr. TILLMAN. Under this plan he will pay his postage after the thing is delivered, whereas you and I and other citizens have to prepay.

Mr. WOLCOTT. We do.

Mr. TILLMAN. I think this is a good thing to kill. [Laughter.]

Mr. LODGE. Mr. President, as I understand it—I may misapprehend the Senator from Colorado [Mr. WOLCOTT]—but as I understand it, this is an attempt to save postage on the non-used cards or envelopes, on which postage now goes to the benefit of the Government, and turn it in to the benefit of a company?

Mr. WOLCOTT. That is it.

Mr. LODGE. That is the whole thing, and the sooner the Senate kills that proposition the better.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Illinois [Mr. MASON] to the committee amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is on the committee amendment.

The amendment was rejected.

The PRESIDING OFFICER. The committee amendment on page 16, beginning in line 5, in relation to the pneumatic-tube service, is before the Senate. The amendment will be again stated.

The SECRETARY. The Committee on Post-Offices and Post-Roads propose to insert, on page 16, after line 4, the following:

For transportation of mail by pneumatic tube or other devices, by purchase or otherwise, \$500,000; and all existing provisions of law prohibiting additional contracts for pneumatic-tube service are hereby repealed.

The PRESIDING OFFICER. The Senator from Iowa has made the point of order that the amendment is general legislation. The Chair informed the Senate, when the Senator from Illinois [Mr. MASON] requested that this point of order should be ruled on by the President of the Senate, that the Chair, if the Senator from Iowa [Mr. ALLISON] insisted on his point of order, would rule that the point of order was well taken. The Chair still so thinks. The Chair understands that any legislation which changes existing law and authorizes the head of a Department to carry into effect the will of Congress is general legislation, and the Chair thinks that this amendment unquestionably falls within that definition. The Chair will say, for the benefit of the Senator from Illinois, that he has communicated upon this point with the President of the Senate, who is engaged in the Committee on Commerce. The Chair, however, does not wish to enforce his opinion

as to this amendment if the Senator from Illinois objects, and if the Senator from Illinois insists, the Chair will submit the question to the Senate.

Mr. MASON. Mr. President, this point of order was made a year ago, when an appeal was made to the Senator who made the point, as an evidence of a desire to give us fair play and fair consideration, that he should withdraw the point of order, and I have reason to believe that the Senator from Iowa will now withdraw the point of order. I can not feel that he is determined to press the point, in view of the statement made by the President of the Senate when the question was up a year ago.

I think we ought to be allowed to have a fair vote and a fair test of the sense of the Senate whether we are going to carry out the will and suggestion of the Department and provide for existing contracts, and whether we are going to extend this service to the city of Chicago. I should like to have a fair discussion upon the merits of the proposition.

If the Senate believes that the city of Chicago ought not to have the same opportunities and the same benefits which the cities of Philadelphia, Boston, New York, and Brooklyn have, I shall have to abide by the decision. I hope the Senator will allow us to proceed and take a vote upon the merits of the proposition. We have a long report here in regard to it. We appropriated \$10,000 for the Postmaster-General to fully investigate and report upon this subject. Certainly the Senator has no hostility toward the city of Chicago, that he would insist upon a point of order that has not been made before in any legislative matter since I have been in the Senate. I appeal to the Senator to let us have a vote on the amendment itself.

Mr. ALLISON. Mr. President, the appeal of the Senator from Illinois is a very strong one to me; and, under ordinary circumstances, I should be glad to yield to it; but I have had an opportunity to investigate this subject thoroughly, and the time is not ripe for the new legislation proposed on this bill. Therefore, I regret very much that I am obliged to insist upon my point of order.

Mr. MASON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois insist that the point of order shall be submitted to the Senate?

Mr. MASON. I desire to be heard upon the point of order.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. ALLISON. I do not wish to cut off the Senator from Illinois from making any observations he desires to make upon this question.

The PRESIDING OFFICER. The Chair, under the circumstances, will submit the question to the Senate. The question is: Is the amendment of the committee in order?

Mr. CLAY. Did I understand the Chair to rule upon the question of order, and that now the question is whether the Chair shall be sustained?

The PRESIDING OFFICER. No, sir. The Chair would state, for the benefit of the Senator from Georgia, that a point of order was made by the Senator from Iowa. The Chair announced that if the Senator from Illinois did not insist upon the question being submitted to the Senate the Chair would rule that the point of order was well taken, and that the amendment of the committee was general legislation; but that, in deference to the feelings of the Senator from Illinois, the Chair would submit the question to the Senate. The question, therefore, is, as stated by the Chair; and upon that the Senator from Illinois has the floor.

Mr. MASON. Mr. President, while the question raised is a question of order, yet, in view of the statement of the Senator from Iowa [Mr. ALLISON], to the effect that he had made a full examination of this matter, I think, possibly, in order to complete my appeal to the Senator that he may withdraw the point of order, I will have to enlighten him upon some points that he has not investigated, and it may take me some little time to do it.

I will say, in the first place, that it is true that the postal commission, upon which the Senator from Iowa was serving, did take some evidence about three years ago upon this subject. Long since they took their evidence upon the subject we have fully discussed the matter here. More misstatements were made in regard to the pneumatic-tube service than were ever made in regard to any other service or any other subject that I have ever heard discussed in this Chamber. Finally, when I see the disposition of the Senator from Iowa—who is able to make legislation upon appropriation bills, but who insists that it shall not be repealed upon bills of like dignity, and who simply gives it as his personal opinion after, as he says, he has examined the question that the Chicago people, the Chicago streets, and the Chicago mail service are not yet ripe for pneumatic tubes—I simply say that my only hope of getting a fair hearing here is to present all the facts to the Senate.

We referred this subject to the Postmaster-General, and we appropriated \$10,000 to enable him to investigate it. That was new legislation if this is; and I want to call attention of the Senate to the fact that the only point of order that has been made on this

matter and insisted upon in the four years that I have been in this body is the one now made by the Senator from Iowa, to deprive the State of Illinois and the city of Chicago of having the same mailing facilities that Boston, New York, and Philadelphia enjoy. That the Senator is anxious to defeat the legislation I can understand and excuse; that he should apply a rule, however, to this bill which no other Senator applies and which no other Senator shows such a spirit of applying to legislation that affects my constituents I am exceedingly surprised and sorry.

It may be, Mr. President, that we can strike out the repealing clause of this amendment, and so adjust it that it will be not subject to a point of order, even in the opinion of the Chair; but while that appeal is pending there is an absence of a quorum in the Senate. I am only anxious to get the question fully before the Senate, and if they are to vote upon whether the decision of the Chair shall stand I want to be heard. I can not be heard with empty chairs and empty desks, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Illinois suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll; and the following Senators answered to their names:

Allen,	Dillingham,	Lodge,	Simon,
Allison,	Dolliver,	McComas,	Spooner,
Bacon,	Fairbanks,	McCumber,	Stewart,
Bard,	Foster,	McLaurin,	Sullivan,
Bate,	Gallinger,	Mason,	Teller,
Beveridge,	Hansbrough,	Morgan,	Thurston,
Butler,	Hawley,	Perkins,	Tillman,
Chandler,	Heitfeld,	Pettus,	Turley,
Chilton,	Jones, Ark.	Platt, Conn.	Warren,
Clapp,	Kean,	Platt, N. Y.	Wetmore,
Clay,	Kearns,	Pritchard,	Wolcott,
Cullom,	Kenney,	Quarles,	
Daniel,	Kyle,	Scott,	
Depeew,	Lindsay,	Sewell,	

The PRESIDING OFFICER. Fifty-three Senators have responded to their names. A quorum is present.

Mr. MASON. Mr. President, I am exceedingly anxious that some fair and proper appropriation shall be made to extend this service to the city of Chicago, in accordance with the recommendations of the Postmaster-General. If, however, there is a feeling that Chicago can not have the same advantages that other cities of less importance have, I should still hope that the Senate would have patience and intelligence enough to understand the importance of making appropriations for the existing systems. I am entirely satisfied that the Senate is probably more poorly informed upon this subject than any of the other subjects now before the body, and for that reason I will read briefly from the report of the Postmaster-General. While it may be that the Senator from Iowa has given a few days or a few hours to this subject, I wish to say that there is not an expert post-office man in the United States who agrees with him. The evidence taken by the postal commission, of which he was a member, a commission appointed to investigate the question of railway pay, was very brief. That was three years ago. A comparison of the report made by the commission of which the Senator is a member with the report made by the Postmaster-General and the commissions appointed by him and the expert railway mail people of this country is so strong and forcible that it must excite the envy and admiration of the world.

Mr. FAIRBANKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Indiana?

Mr. MASON. Certainly.

Mr. FAIRBANKS. If the Senator, who is a member of the Committee on Post-Offices and Post-Roads, will permit me, I should like to ask him a question or two for information. I see on page 16 of the bill that an appropriation of \$500,000 is proposed to be made for the transportation of mail by pneumatic tubes or other devices.

Mr. MASON. That is the amendment under discussion.

Mr. FAIRBANKS. Does that cover the pneumatic-tube service in New York, Philadelphia, and Chicago?

Mr. MASON. Yes; it covers the pneumatic-tube service of the present systems in New York, Philadelphia, Boston, and Brooklyn, and also covers an amount, probably \$100,000, for the extension of that service in the city of Chicago under the discretion and direction of the Postmaster-General.

The PRESIDING OFFICER. The Chair will state for the information of the Senator from Indiana and in answer to his question, that the question before the Senate is not as to whether the Senate will agree to the amendment to which the Senator from Indiana has referred, but the question is, it having been submitted to the Senate, whether, upon the point of order made by the Senator from Iowa, the amendment to which the Senator from Indiana referred is in order. The Chair announced that he would rule it to be out of order upon the ground that it was general legislation, but in deference to the feelings of the Senator from Illinois the Chair submitted it to the Senate. That is the question before the body, and not whether the amendment shall be agreed to.

Mr. FAIRBANKS. My inquiry was not with reference to the point of order. I simply desired to know what appropriation was contemplated by the committee for the service in these different cities, and whether Chicago has been omitted and the other cities included.

Mr. CHANDLER. Mr. President—

Mr. MASON. I yield to the Senator from New Hampshire, who wishes to discuss for a moment the point of order.

Mr. CHANDLER. I was out of the Chamber, and I understand that while I was gone the question of order was raised upon the clause as to pneumatic tubes contained on page 16—that it was out of order because it repealed all provisions of law which prohibited additional contracts. Will the Chair kindly state what disposition was made of the point of order?

The PRESIDING OFFICER. The Chair will state to the Senator from New Hampshire that no disposition was made of the point of order. The point of order was first withheld, and, after the committee amendments had been acted upon, the Chair took up the point of order made by the Senator from Iowa. As the Chair has just stated to the Senator from Indiana, it stated that it would rule that the point of order was well taken, but in deference to the feelings of the Senator from Illinois it would submit the point of order to the Senate, and that is the precise question now before the Senate—whether or not the amendment is in order, not whether or not the amendment shall be agreed to.

Mr. CHANDLER. I suppose, of course, that the Chair would not undertake to limit the scope of the debate, even upon the point of order. I suppose the Senator from Illinois is proceeding strictly in accordance with the customs and practices of the Senate in debating the merits of the proposition. I hardly ever heard a point of order discussed where the merits of the proposition were not discussed at large; and the Senator from Illinois was proceeding correctly. The practice may be a bad one, but it prevails.

I want the Senator from Illinois to allow me to say a word or two in reference to the point of order. With all deference to the opinion of the Chair, I think the point of order is a bad one, not well taken, and certainly ought to be withdrawn by the Senator who made it—the Senator from Iowa.

Mr. President, what is the fact? I wish to convince, if possible, the Senator from Iowa. The act of June 2, 1900, made an appropriation for pneumatic tubes. It provided:

Provided, That no part of this appropriation shall be used in extending such pneumatic service beyond the service for which contracts already are entered into, and no additional contracts shall be made unless hereafter authorized by law.

That prohibition was general, I will concede. It was not merely a limitation upon that appropriation, but it was a prohibition upon any contract thereafter. Now, this amendment proposes to appropriate \$500,000 for pneumatic-tube service and simply removes that prohibition. Does the Senator from Iowa gravely contend that when we make an appropriation of \$500,000, which is clearly within our rules, because it is recommended by a committee, it comes from a committee of this body, and makes an appropriation which we have a right to make, it is not in order in the Senate simply to remove the obstacles that were created by this prior act when the prior act contemplated that very thing? If that point of order is good, that provision stands there forever unless it is either removed by unanimous consent or is removed by a separate act of Congress. No such point of order as that has ever before prevailed in the Senate, but the Senate has stood just as I stand to-day—for the right of the Senate to provide how an appropriation shall be expended, in what way, in what method, with what limitations, and for the right of the Senate, when it makes an appropriation which it has an unquestionable right to make, to remove an obstacle to the expenditure of money.

I do not think I differ very much with the Senator from Iowa or the chairman of the committee as to the amount that ought to be appropriated this year for pneumatic tubes, but I do hope, in deference to the business of the Senate that will come afterwards, that the chairman of the Committee on Appropriations will not undertake to commit the Senate to a proposition of that character—that we can not, on the appropriation bill, as to an appropriation that is in order and we have a right to make, remove an obstacle that has been put on by a previous law which contemplated that it should be removed exactly in this way.

Mr. SEWELL. I should like to ask the Senator a question. Where does this appropriation of \$500,000 go? The Senator from Illinois stated that he wanted Chicago to have the same facilities that Philadelphia and New York have. Is there an appropriation now in existence for Philadelphia and New York?

Mr. MASON. This is part of it.

Mr. SEWELL. It comes out of the \$500,000?

Mr. MASON. Yes; it covers everything.

Mr. CHANDLER. The \$500,000 will provide for the existing service and for some extension thereof.

Mr. SEWELL. It is given out without advertising?

Mr. CHANDLER. He is to make contracts under such obligations as the law imposes.

Mr. SEWELL. The objection I have to it is that it is not open to other bidders.

Mr. CHANDLER. Will the Senator again state his objection?

Mr. SEWELL. The objection I have is that there are several pneumatic tube service companies which are very successful, with large capital, and they do not seem to have any show under this amendment. It is simply to pay so much to those now in existence. Is not that true?

Mr. CHANDLER. I think the Senator is wrong about it. There is no limitation upon the Postmaster-General, and I should consider that he was bound to investigate all methods of transmission.

Mr. SEWELL. And throw it open to the public?

Mr. CHANDLER. I believe so, except as to the existing contracts.

I want the Senator from Iowa further to notice that the limitation in the last appropriation act and in the one previous, which provided that no additional contracts shall be made, was put upon an appropriation act; so that the point of order is that one year you can put a limitation upon an expenditure by an appropriation act, and you never can get rid of it unless you pass a special act to get rid of it. It seems to me, not particularly on account of this bill, but for other very evident reasons, that that ought not to be the rule of the Senate.

Mr. ALLISON. Will the Senator from Illinois yield to me for a moment?

Mr. MASON. Certainly.

Mr. ALLISON. I made the point of order in view of the language of the existing law upon this subject. That language is as follows:

Provided, That no part of this appropriation shall be used in extending such pneumatic service beyond the service for which contracts already are entered into, and no additional contracts shall be made unless hereafter authorized by law.

Mr. MASON. The Senator admits that that was on an appropriation act?

Mr. ALLISON. I do; certainly.

Mr. MASON. And is a limitation of the appropriation?

Mr. ALLISON. It is no limitation upon the appropriation.

Mr. MASON. It was a limitation upon that appropriation.

Mr. ALLISON. It was legislation pure and simple, and it was intended at that time to cover what the Appropriations Committee considered an abuse, namely: The Post-Office Department entered into contracts for the period of four years in New York City, Brooklyn, Philadelphia, and Boston without the subject of pneumatic-tube service having ever been considered by Congress, as we believed then at an extravagant rate of compensation, and a larger appropriation than was necessary to pay for the existing contracts was proposed on this floor. The committee believed that the Postmaster-General having entered into contracts for this service for a period of four years, although the service had not been authorized by law, we were in duty bound to pay the amount contracted for to those people during the period of the contracts.

Now, those three or four contracts, or whatever the number is, will expire on the 1st day of July. We are now up to the question whether or not we shall continue the system of pneumatic-tube service in the cities where it is now existing and for which contracts were made, or whether we shall make no further appropriations upon this subject, or whether we shall extend the system to other cities. That is the question.

The Senator from Illinois puts me in the attitude here of endeavoring to discriminate against the city of Chicago, in the State of Illinois. That is not my contention. This statute was approved on the 2d day of June, 1900. It was intended, then, that hereafter, if a contract was to be made with patentees or private parties for the rental use of pneumatic tubes in cities, the contracts should be authorized by law, and that if the contract was made it should be upon public bidding and letting and advertising, and that when made it should be effective for the purpose indicated. Therefore the Senate put upon notice the Committee on Post-Offices and Post-Roads and all other committees of this body that the question of pneumatic-tube service was a grave question, that it might involve in the end an expenditure of twenty-five million or fifty million dollars, and that the United States Government and its postal revenues would be subjected to exactions for the rental use of these tubes in great cities.

We believed, also, whether wisely or otherwise, that if that was to be done it would result principally in serving the local mails in the great cities, and that it would not be so beneficial to the great volume of the mail that goes from one end of this country to the other; that it would be largely local in its nature, and that when that was done it ought to be done by imposing a small additional postage for the city matter that was to be distributed through the pneumatic tubes and the rental price of which was paid for by the General Government, either through its postal revenues or through a payment out of the Treasury.

We expected that there would come from some committee of this body a most carefully revised and devised scheme which

should have its origin in the Post-Office Department, where all matters of this kind are in the first place considered, and through which crucible the whole matter should go. That was our view, and in connection with that, although there was a postal commission at that time discussing the question and considering it, we agreed in this body to an amendment which should give the Postmaster-General authority, in addition to what we had done already, to make an investigation of his own, through experts and otherwise, and we appropriated \$10,000 for that purpose, I believe, in the same appropriation bill.

Thereupon the Postmaster-General did enter upon that investigation and undertook the investigation on behalf of the Department, and he did summon various people having expert knowledge of this subject, and afterwards appointed also a special commission. I have the report before me which was submitted to the House on the 4th of January. It is House Document No. 289. I submit that anyone who will take this report of the Postmaster-General and scan it from its beginning to its ending will be convinced that this question is still in such an experimental stage that we do not want to dump in \$500,000 or any other sum without limitations or restrictions as to what shall be done with the money.

Mr. FAIRBANKS. I should like to ask the Senator whether or not all of these pneumatic-tube contracts expire at the close of the present fiscal year?

Mr. ALLISON. As I understand, they all expire at the end of the present fiscal year.

Mr. WOLCOTT. The 1st of July.

Mr. FAIRBANKS. And the appropriations have heretofore been made to continue the payments under those contracts?

Mr. ALLISON. Under those contracts made four years ago.

Mr. FAIRBANKS. The proposed appropriation is for continuing those contracts another year and at the old rates?

Mr. ALLISON. The amount of those contracts, as I understand—

Mr. WOLCOTT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. ALLISON. Certainly.

Mr. WOLCOTT. The amount of the present contracts is \$235,000. Under this proposed appropriation the Postmaster-General may continue the existing contracts or he may dump them all and spend the money anywhere. He may do as he likes.

Mr. FAIRBANKS. So this is not necessarily based upon the terms of the old contracts?

Mr. WOLCOTT. Not in the slightest.

Mr. CULLOM. Will the Senator allow me? I should like to know the substance of what the Postmaster-General recommended in reference to the future action of the Government on this question, if the Senator has it so that he can state it.

Mr. ALLISON. I have his report.

Mr. CULLOM. I have been unable so far, without reading his report, to find out from the discussion here whether the Postmaster-General recommends the appropriation of the \$500,000 or any other sum.

Mr. ALLISON. As to the \$500,000 I do not know, but the Postmaster-General, in a general way, and these experts do say that this is a useful method of distributing the mail. They do say that it is an expensive method, but they think that the value of this method of transportation is greater than the cost. That may be if you have it properly adjusted.

Mr. MASON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Illinois?

Mr. ALLISON. Certainly.

Mr. MASON. Is not the Senator mistaken? They say while the cost is great, the demonstrable advantage is proportionately greater.

Mr. ALLISON. That is just what I was saying. The Senator did not understand me.

Mr. MASON. I did not understand the Senator from Iowa.

Mr. ALLISON. That is what the Postmaster-General says. That may be true in the cities; doubtless it is true in a city like New York, or like Chicago, possibly; but now here is a general appropriation of \$300,000, which does nothing but repeals this absolute provision of law. This was not a law in an appropriation bill in the ordinary sense of the term, and controlling the appropriation in the bill. It was a definite, independent statutory provision, which was a prohibition upon the Postmaster-General, that he should make no additional contracts until thereafter authorized by law. What did that mean? It meant that if we saw proper to extend these contracts to Chicago or to San Francisco or to Cincinnati or to Baltimore or to St. Louis or to Denver the Postmaster-General should be authorized by law to make a contract for the pneumatic tubes in any one of those cities or in all of them, and that he should be restricted to a certain amount in making the contract.

Here are people who propose to build a pneumatic-tube service

in the city of Chicago. Nobody, so far as I know, has given a clear statement or has a clear understanding as to what the system will cost, as to how it is to be constructed, as to what proportion of the mail will be carried within those tubes when the tubes are in operation; whether it shall consist only of letter mail or whether it shall consist also of that great body of the mails which we call second-class matter, and so on. Now, what we intended by this statute was that some proper committee of this body, in connection with the Postmaster-General, should put around the law authorizing this enormous expenditure such restrictions and limitations as to give us the control from year to year over the appropriations. The Postmaster-General now, under this appropriation, if he chooses, can contract with the owners of the tubes in the cities of New York, Brooklyn, Boston, and Philadelphia for the continuation of the tubes already constructed or he can refuse to contract with them, and he can go wherever he chooses and make contracts for the construction of new tubes which are to be used by the postal service.

I should have been willing, and I am willing now, speaking for myself, to make an appropriation of a fair sum for the tubes which are performing service in these cities as a rental for their use. But I want it to be a sum year by year that we shall have the control over. If there is a sufficient amount of information as respects the Chicago tubes, it is possible we might enter upon that now. But I do not believe we are ready to enter upon it on an appropriation bill. I think we ought to enter upon that through such restrictive and directing legislation as will give us the control of it.

Here is my good friend from Illinois, who finds fault with me in regard to this matter. He has been upon the Committee on Post-Offices and Post-Roads for years, and yet, with a sympathetic committee, every year we are confronted with this question, without any restriction, in the last days upon an appropriation bill.

Notwithstanding the criticism made by the Senator from New Hampshire upon the point of order, if the law has the meaning its promoters intended it should have, it means that no contract shall be made until those contracts are authorized by law. Therefore this appropriation would be of no value for new contracts or for any contract now unless the statute is repealed.

Why is it that we can not have an appropriation here for the pneumatic tubes that are already in existence that we may know whether the rental is reasonable or unreasonable? If the Committee on Post-Offices and Post-Roads want to continue this service, why do they not bring in a measure proposing a certain amount which shall cover the contracts in existence or other contracts that they want to make?

Mr. MASON. Mr. President, I wish to say simply to the Senator from Iowa that I have no doubt we could agree upon such an amendment as he suggests, and it would be entirely satisfactory to me. All the information he asks for is in the report. I understand how difficult it is for members of the Senate to take the time to read these reports. I think it would possibly save time to have the report read, and I had intended to ask to have it read, because, I must say, the Senator makes statements which convince me that he has not read the report. The full plans and specifications are offered, and full and correct estimates are made for the extension of the service.

Mr. ALLISON. By the Post-Office Department?

Mr. MASON. Yes.

Mr. ALLISON. Will the Senator kindly turn my attention to that?

Mr. MASON. I do not know that I can turn my hand to it right at this moment, but the plan is suggested, surveys have been made, maps have been had. They have had access to the city maps, and reports have been made that give all the information necessary to show what will probably be the cost. The cost in New York has been reduced. We understand how difficult it is in starting in a new enterprise; how the first plan always costs more than the second and the second more than the third. Anyone who will read this report and read the suggestion of the people who control the New York system will find that they are ready to have an extension of that system and reduce the cost of the service to the Government something like 35, or I do not know but 45, per cent. The Senator from New Hampshire can tell me.

Mr. CHANDLER. Let me answer by sending up a letter from the Second Assistant Postmaster-General and having it read.

Mr. MASON. Very well. It simply shows what I have claimed from the start in this matter—that we could put this service in the city of Chicago at a much lower expense to the Government than it has ever been put in before anywhere. But we must have the Postmaster-General left in a position where he can exercise some discretion in regard to it. Nine out of ten of the Senators who are to vote on this question do not know what recommendations were made by the Department, and I can see no other way to get the report before them than to ask that the Secretary may read it. It is not long.

Mr. CHANDLER. Will the Senator first allow me to have

read, so as to get the cost of the existing service before the Senate, a letter from the Second Assistant Postmaster-General?

Mr. MASON. Certainly.

The PRESIDING OFFICER. The Senator from New Hampshire asks that the letter which he has sent to the desk be read. The Secretary will read the letter.

The Secretary read as follows:

POST-OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER-GENERAL,
RAILWAY ADJUSTMENT DIVISION,
Washington, February 11, 1901.

DEAR SIR: I acknowledge the receipt of your communication asking to be furnished with a statement showing the cost of continuing the existing contracts for all pneumatic-tube mail service in the event of the price paid under the New York contracts being made 60 per cent of the present price and all other existing contracts being continued at the present rates of compensation.

In reply I have to state that the annual rate paid for all pneumatic-tube mail contracts is \$222,266. The contract price for the New York tube service is \$148,500. If the New York contract were continued at 60 per cent of the present cost the rate would be \$89,100, and the total sum for all the contracts would be \$162,866.

I inclose herewith the last annual report of the Second Assistant Postmaster-General and invite your attention to the tabulated statement, page 345; also to same subject on page 12 of that report.

Very respectfully,

W. S. SHALLENBERGER,
Second Assistant Postmaster-General.

Hon. WILLIAM E. CHANDLER,
Washington, D. C.

Mr. WOLCOTT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Colorado?

Mr. MASON. Certainly.

Mr. WOLCOTT. I desire to ask the Senator from Illinois if he desires to have the report of the Postmaster-General read before the decision of the point of order?

Mr. MASON. Yes; because that is largely a question of fact and largely a question of law. The Senate is to decide whether the point of order is well taken or not; and the Senator from Iowa in making his point of order speaks as to the merits or demerits of this service, and by his speech shows clearly that he has not possession of the facts, which I hope he may have after he has heard the report. We spent \$10,000 to get this evidence before the Senate. The fact that it has not been here before is not my fault. I should have been very glad. Indeed, I have taken the liberty and gone to considerable trouble to see different members of the Senate whose speeches two years ago showed such ignorance on the subject that I begged them to read this report. I can not get people to read the report. Senators display by their speeches that they have not read it and do not comprehend the recommendations made by the Department, and I intend now to read briefly from the report of the Postmaster-General. It may be that if we would let the matter go over until to-morrow an amendment could be framed. I do not want to allow any large sum to the city of Chicago. Fifty thousand dollars—

Mr. WOLCOTT. I understand, then, that the report is to be read for the enlightenment of the Chair in its determination of the point of order.

Mr. MASON. No; the Chair has submitted it to the Senate.

Mr. WOLCOTT. I do not understand that the Chair has submitted it.

Mr. MASON. The Chair has indicated to the Senate that he would submit it to the Senate, and I am discussing it now for the enlightenment of members of the Senate, if I may have their attention.

Mr. BUTLER. If the Senator from Illinois will pardon me a moment, it must be apparent to the Senator that reading the report can not affect the position of the Senate as to the part of the proposed amendment which proposes to repeal an existing law prohibiting the extending of the contracts without a further enactment of Congress.

Mr. MASON. But this is the further enactment of Congress.

Mr. BUTLER. I know, but the Senator will remember the abuse that called forth the law. The Postmaster-General made contracts for four years. We have been four years paying them, and we are just getting through, on the 30th of June. Congress deliberately enacted that there should be no further contracts made without an enactment by Congress. We can not repeal that law without putting something in its place. If the Senator wants to further his object, he must simply offer some restriction in the use of this appropriation, for I take it no Senator will be willing to vote to wipe out all restriction and leave the Department to make the same kind of a contract that it did four years ago and bind us absolutely, at any price, and anywhere.

Reading the report of the Postmaster-General will not enlighten any Senator as to how he should vote on that question, because you are asking us to wipe out entirely all restrictions or regulations. If the Senator has something to offer in the shape of a substitute that will change the amendment and by some proposed enactment regulate the use of this appropriation, Senators might feel like voting some small appropriations.

I myself would feel that it might not be improper to continue the present service in New York, Philadelphia, and Boston at a reduced rate, if we can do it at a rate that seems to be just. The rates we have been paying heretofore everybody admits were enormous. They were too large. We should also, by an amendment, limit the number of contracts in Chicago, if we should authorize any service there, and limit the appropriation and have it specific.

I take it that the Senate can not vote intelligently on this question until the matter is in that shape. I am not speaking in a hostile spirit, but if the Senator will take it as sympathetic I suggest that he offer us something in that shape. I, in the committee, tried to get the committee to act on this line, and suggested to the chairman and several others that we attempt to frame some provision of law that would properly guard this matter; but the Senator insisted in the committee on having this amendment put in and to give him a showing before the Senate on it. The Senator objected to my proposition then. He did not take the suggestion kindly at that time. I hope he will take it kindly now. I do not think the reading of all the testimony that could be gathered from all over the world would make the Senate feel willing to throw down the bars and leave the Department to do as it did four years ago.

Mr. MASON. I think the suggestion of the Senator from North Carolina is fair. I did not understand the objection made by the Senator from Iowa to be the same as that made by the Senator from North Carolina. If that is what is wanted, I will prepare an amendment, and I will ask unanimous consent that it may be submitted and voted on to-morrow at 4 o'clock. Then, if the Senator from Iowa desires to raise the point of order at 4 o'clock on such an amendment as we may agree upon in the committee, of course he would have the privilege of doing so.

Mr. CHANDLER. I ask unanimous consent that the amendment may be divided and that we may consider first the appropriation and afterwards resume consideration of the repealing clause.

Mr. WOLCOTT. I shall object to that.

Mr. BUTLER. I will say, too, we can not do that until we know just what we are doing, and I am not willing to vote now for an appropriation of \$500,000.

Mr. MASON. I will state what I want to do. I want to carry out the suggestion made by the Senator from Iowa, if it is a suggestion, or certainly that made by the Senator from North Carolina. I wish to prepare and submit an amendment to carry out the usual custom in regard to making appropriations by the Post-Office Department for carrying the mails, to provide an appropriation not exceeding a certain sum—\$50,000 or \$75,000—for each of the three cities mentioned, for making a contract under the rules to be prescribed by the amendment.

Senators can see well that this suggestion takes me entirely by surprise. All I want to do is to have a fair vote upon all that we fairly ask. We do not expect a large sum. So far as Chicago is concerned, no dollar of this appropriation will probably be used. But we wish to have the Postmaster-General authorized to enter into a reasonable contract under such restrictions and rules as usually govern in matters of that kind. For that reason I ask that this amendment or the substitute offered for it may be voted upon to-morrow at 4 o'clock, the Senator from Iowa reserving, of course, his right to raise a point of order at that time if he desires.

Mr. WOLCOTT. Mr. President, I rise to a question of order.

The PRESIDING OFFICER. The Senator from Colorado will state it.

Mr. WOLCOTT. I understand there is a point of order presented for the decision of the Chair.

The PRESIDING OFFICER. There is.

Mr. WOLCOTT. And all debate is proceeding by unanimous consent. I ask for a decision on the point of order.

Mr. MASON. I have not yielded the floor. I have the floor. The Senator has a way of breaking in and getting recognition without asking the consent of anyone.

Mr. WOLCOTT. I beg the Senator's pardon. I supposed he was through or I should not have said a word.

Mr. MASON. I had not finished. I only stopped a moment to ask unanimous consent. If the Senator objects, I desire to proceed.

I will now read from the report of the Postmaster-General. I ought to say to Senators that this report is based upon evidence which he was a long time accumulating upon the subject. When there was a prospect of carrying passengers by rail and steam, the drivers of the stagecoach interfered. There has been no progress in any of the arts or sciences that some stage driver has not interfered with. When they met in convention they decided that to carry passengers by rail not only destroyed the business of the stage driver, but endangered the lives of the people; and they were able to hinder and delay all progress by that class of men standing in the way of new ideas and new things. In the Senate we find the same disposition. Notwithstanding the best-posted men in the United States on the subject employed by the Government, who have been at work for the Government for a quarter of a

century, have testified to the people of this country, and the Postmaster-General, relying upon their evidence and upon their report, says that you might as well discard the fast mail as to discard the pneumatic tube, the stage driver is here objecting to any progress, objecting to any plan that changes his ideas of carrying mails.

I say, Mr. President, I have a right to have an intelligent vote on this subject. The remarks that have been made by Senators show that they have no conception of the evidence taken before the Post-Office Committee. The Postal Commission did take some testimony on the subject. There are some members of that commission who really know the difference between a mail bag and a postage stamp, but most of them neither heard nor took evidence on the subject exceeding two or three days, and they are asking here in the Senate of the United States that this Senate shall close its eyes to the recommendations of the Department, shall close its eyes to the facts of the present situation, and take their statement that the time is not ripe for the city of Chicago to have the same advantages in handling its great mail that the city of Boston and the city of Philadelphia have.

Misstatement after misstatement has been made then and now in this Chamber. The facts are, as shown by the Postmaster-General's report, that a complete system could be made in the city of New York and that it would not increase the cost of the handling of the mails beyond \$75,000 a year, which is less than one per cent of their net earnings in the city of New York. How many men in this Chamber have seen the operation of the pneumatic tube? Mr. President, I desire to read from the report of the Postmaster-General. He says:

The investigation was directed to be made in eleven cities, namely, New York, Brooklyn, Boston, Philadelphia, Washington, Cincinnati, Chicago, St. Louis, New Orleans, Denver, and San Francisco.

After full consideration of the points to be determined and the practical method of reaching them, a careful plan of investigation was mapped out.

I should like to have this read in comparison with any careful plan mapped out by the Postal Commission to investigate the pneumatic-tube service, when they were originally instructed and were expected to investigate the pneumatic-tube service. I should like to see the maps and plans of investigating the pneumatic-tube service and compare them with the maps and the detailed plans and drawings and the estimates made by disinterested men in the mail service, who can have no interest in this matter except for the expedition of business and the carrying of the mails.

I want to say, Mr. President, there is no one Government service that is so near to the people as the service of the carrying of Government mails, and it ought to be expedited. Everything that can be used to make a swift and quick delivery should be used. If you have to use a patent, use it, and pay for it like an honest man would do. We do use patents, and the rule of the Government is to make a fair allowance for the use of them.

First, the Postmaster-General laid out his plan before he made this report, covering over 250 pages:

The plan next contemplated a thorough scrutiny of the local reports by a first general expert committee representing the Department, who should visit the several cities successively with authority to employ local engineer experts, and should, in conjunction with the local committee, revise the preliminary inquiry, obtain estimates and proposals from pneumatic-tube companies, with plans and specifications of all proposed extensions, and prepare such reports and recommendations as could command the approval and sanction of the joint committees. Finally, it was directed that all of the reports and information thus collected should be submitted to the investigation of a second general committee composed of citizens and experts of national standing, wholly unconnected with the Post-Office Department and with the pneumatic-tube companies, men of such high business character, professional training, and practical experience as specially qualified them to pass upon all of the questions involved and as certain to give weight and authority to their conclusions and recommendations.

The reports of these several local and general committees are herewith submitted to Congress, and they are commended to consideration as embracing a large volume of valuable information for the guidance of the legislative branch of the Government in acting on this subject. Attention is specially directed to the report of the second and final general committee, which was selected with great care with a view of securing an efficient representation of the best business, mechanical, and professional knowledge and experience.

Then the report goes on to state the business and scientific men and the civil engineers appointed on that committee. It then proceeds:

The report of this committee presents an intelligent and comprehensive answer to the inquiries embodied in the provision of Congress for the investigation. It reviews the exhibits and conclusions of the joint local committees and the first general committee representing the Department, and subjects their recommendations to the best tests of reasonable conditions and requirements which experience and practical wisdom can apply. It considers the feasibility and utility of the pneumatic-tube service as a permanent feature of the postal system; the conditions which should govern its maintenance and extension; the proper relation of cost to postal receipts; the ratio of expenditure which would be disproportionate to the benefits; the principles which should govern rental from private companies; the advantages of Government ownership, and the conditions under which it would be admissible and expedient.

I beg the Senator from Iowa will understand that the Postmaster-General is calling his attention, which he favors us with, as he has in the past, to "the principles which should govern rental from private companies, the advantages of Government

ownership, and the conditions under which it would be admissible and expedient." He then proceeds:

It will be seen that the committee concludes that the cost of constructing a pneumatic-tube system, with full equipment and power plant, should not exceed \$80,000 per mile for a line of 10 miles.

That is one of the points which we have been asked for repeatedly. It is one of the points of information which the Senator just said he is not yet possessed of. I am sure if his attention were turned this way, he would have possession of that point now—

and that, with allowance for interest and taxes, for annuity to cover depreciation, and for net earnings at 3 per cent, but not including labor and power-operating expenses, the proper charge for annual rental would be \$65,761 for a line of 10 miles. Upon the assumption of Government ownership, the committee estimates that the annual charge would be \$39,725. It does not believe, however, that it would be wise to enter upon Government ownership until the system shall be further developed and material improvements shall be made. The system is capable of such improvements. It is yet, in some senses, in the experimental stage. Different devices, methods, and companies are coming into the field. None of these companies have yet offered better terms than the existing contractors; but the process of development is going on, and the committee believes that before the Government acquires possession it should have the benefit of the improvements certain to be made.

The cost at which Government ownership may be effected is not definitely determined, because it was impossible at this stage to secure proposals or terms of sale of existing or projected systems. The pneumatic-tube companies answered that without State legislation protecting their franchises which also covered commercial service, and without submitting the question to stockholders, they were not in a position to give figures for the disposal of the property. An approximate estimate may, however, be reached through the conclusion of the committee as to the legitimate cost of construction, and the physical value of the system. This cost will decline as improvements shall be made, and governmental control may secure local concessions and advantages not attainable by private companies.

The final general committee fully concurs in the recommendations of the local and first general committees for the extension of the service in New York and Philadelphia; it favors the proposed addition in Boston of the tube connection between the post-office and the South Terminal Station, and it approves a limited application of the service in Chicago and St. Louis. It holds that where the ratio of cost to gross receipts does not exceed 3.1 per cent, the service is not only justified but expedient. In the cases named the ratio comes within the limitation. In all the other cases examined the ratio passes the limit, and the recommendations are, for this reason, disapproved. There is a broad line of demarcation differentiating the two classes of cases. The committee advises that before new contracts are made new bids should be required, with an exaction of the lowest terms obtainable. It also recommends—

Now, this part of it I am perfectly willing to have embodied in the amendment. This is a recommendation made by the Department; it is a suggestion made by the Senator from North Carolina [Mr. BUTLER], and I am perfectly willing to submit an amendment. All I have asked of the committee so far is to give me an opportunity to draft such amendments as may conform with the recommendations of the Postmaster-General.

It also recommends that all new leases should be accompanied by an option of Government acquisition when the conditions should be favorable.

I beg to call the attention of the Senator from Iowa to this recommendation, and I thank him very sincerely for his attention; he has such general knowledge of the subject:

The committee fully sustains the pneumatic method of mail transportation as a valuable and mechanically successful system, and gives effective illustrations of its importance to the business interests of the country in expediting mail communication.

The Postmaster-General says:

While the cost is great, the demonstrable advantage is proportionately greater.

In other words, we get an advantage in the transmission of mails proportionately greater than the increased cost.

Besides there are good reasons for believing that its maintenance and moderate extension in the large cities will stimulate an increased business which will pay its cost. The committee believes that the expense is capable of reduction with the further progress of improvements, and it is unanimous in recommending the retention of the service as it now exists and its limited extension as specifically indicated.

In this view the Department concurs. In the great cities the pneumatic-tube service is too important and vital an agency of postal expedition to be abandoned. It is an instrumentality which, within reasonable limitations, has come to stay as a part of the modern system of communication. It can no more be discarded than the fast mail train.

Yet Senators who have given at least fifteen minutes' time to this matter, who have pondered and turned their intellectualities as much as fifteen or twenty minutes to it, say that the whole system ought to be abandoned, notwithstanding the Postmaster-General says in his report and the experts say that it can no more be discarded than the fast mail train service.

The report continues:

To strain every nerve to save half an hour or an hour on the railroad and then to waste half an hour which might easily be saved at the point of departure or destination would be incongruous and unwise. The fast mail train is employed only where the conditions justify it. And so the pneumatic-tube service is to be used only where in sound reason the importance and value of the result warrant it; but within these bounds, as the committee of eminent citizens shows, it is to be sustained.

Mr. STEWART. May I ask the Senator a question?

Mr. MASON. Certainly.

Mr. STEWART. Without reading the whole report, can the Senator say whether there is in the report a plan for legislation with limitations, so that the Government can protect itself in advance? In other words, is there the substance of a bill in that report?

Mr. MASON. The suggestion is here, from which, as I have said, if I could have an opportunity I could prepare an amendment. If Senators are in good faith, I would ask that I be given an opportunity to draft an amendment with proper limitations, so as to protect the Government.

Mr. STEWART. I am one of the many who do not believe it is possible for any Senator to prepare an amendment here to accomplish that purpose while we are attempting to pass an appropriation bill. If we go on to provide this service for all these cities and make appropriations constantly for this pneumatic-tube service, which is covered by private charters in the different cities, the companies holding these charters will make a combination, and it will be a case of "stand and deliver" for millions and millions. Before we go into this business, it seems to me, either the committee or the Department ought to give us a bill with proper limitations. I am not prepared to vote in the air on this question.

Mr. MASON. Mr. President, I hope the chairman of the committee and those who are willing to give me a fair vote in this matter will let it go over until to-morrow, so that I may have an opportunity to prepare an amendment. My idea is this—and I will state it frankly to the Senate—an amendment to provide a basis for contracts to carry out the spirit of the law and to carry out the spirit of the report of the Postmaster-General. Then, if I fail and can not secure this pneumatic-tube service for Chicago, I have no disposition to be a "dog in the manger," and because I can not eat hay refuse it to those who are fond of it. I am willing to let the Senate fix the matter in any legal way it can to continue the contracts upon the best terms the Department can make. For my part, I want a fair test. I have not had it. This bill is being hurried through; we are getting near the close of the session, and for that reason I think I should have the same opportunity the chairman of the committee kindly gave me last year, so that we may have the matter determined.

Questions are being asked here to-day in regard to this matter, and they are answered in this book, which Senators say they have not had time to read. All I ask is that I may be permitted to prepare such an amendment as I have suggested, which I can not do in a moment at my desk. As there are other matters to be considered in relation to the railway mail pay, etc., and as there is to be debate upon them, I understand at some length, I ask unanimous consent to have the vote taken on the pending amendment at 4 o'clock to-morrow.

The PRESIDING OFFICER. The Chair understands objection was made previously to that request.

Mr. MASON. No objection has yet been made to this request. This is a new request.

The PRESIDING OFFICER. It is the same request, as the Chair understands.

Mr. MASON. But it is made at a different time; and I have not heard any objection to it.

Mr. SPOONER. Mr. President, I am in sympathy with the suggestion of the Senator from Illinois, but I want to ask him if it would not be better not to fix the hour for voting, and that the amendment shall be passed by for the present, and other subjects taken up?

Mr. MASON. Well, I will say at 2 o'clock to-morrow.

Mr. SPOONER. We may get through with this bill before that hour, and there is no time to lose in this session.

Mr. MASON. I know that. I will say, then, at half past 1 o'clock to-morrow.

Mr. CHANDLER. I suggest to the Senator from Illinois that he allow this amendment to go over until to-morrow, and not fix any time for voting upon it.

Mr. MASON. Very well.

The PRESIDING OFFICER. The Senator from Illinois asks unanimous consent that the amendment go over for the present, and that the amendment which he has outlined be submitted to the Senate to-morrow. Is there objection?

Mr. STEWART. I object until I can say a word.

The PRESIDING OFFICER. Objection is made.

Mr. STEWART. I want to make a remark. I am willing, if the amendment is to be passed over, that there shall be an amendment authorizing the Postmaster-General to submit a plan, properly guarded, at the next session of Congress. I do not believe it is possible for any Senator, even the Senator from Illinois, to prepare a proper amendment, with the knowledge we have before us, in a day or in a week, or during this session. I do not believe an amendment can be drawn which would properly guard the Government; because I see very well if we get these tubes all over the country, it will be a "stand and deliver" proposition to Congress all the time. These are private companies. There will be combinations of contractors in the various cities, and they will have influence enough to get their own price. Before we embark in this enterprise I want the price fixed and some systematic plan adopted.

I will object to any postponement for the purpose named by the Senator, because I believe it is utterly idle to think of doing it at

this session. If an amendment can be drawn authorizing the Postmaster-General to submit a plan at the next session, I will agree to that for the present.

Mr. MASON. Do I understand that the Senator objects to my request?

The PRESIDING OFFICER. The Senator from Nevada has objected to the request.

Mr. PETTIGREW. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from South Dakota?

Mr. MASON. I have not finished my remarks; but I will yield to the Senator.

Mr. PETTIGREW. I am perfectly willing the Senator shall complete his remarks.

Mr. MASON. No; I will yield to the Senator.

Mr. PETTIGREW. Mr. President, this proposition is one which does not involve the ownership on the part of the Government of the United States of the right to use these tubes. The proposition is to rent from a private company in New York, in Philadelphia, and in Boston, which invade the Post-Office buildings owned by the Government, put in their apparatus, and then we are to lease it from them.

It seems to me that the only amendment that ought to be entertained at all is an amendment which would provide that the Postmaster-General may investigate this invention, and if he finds it is of utility, to see what terms he can make for the purchase of it, so that it can be used by the Government in connection with the postal business.

Five hundred thousand dollars is almost 3 per cent on \$16,000,000. We furnish the power to operate these tubes in New York and in these other post-offices; and we are now paying 3 per cent on \$8,000,000 for the three cities which now have this service.

Mr. CULLOM. How much have the company spent?

Mr. PETTIGREW. In my opinion, they have not spent a million dollars. We were unable to find out how much they have spent. If this pneumatic system is a good thing, then the reason is overwhelming why we shall not make this appropriation, but shall undertake to purchase, if we can at a reasonable price, the right to use it for the mails, rather than to have a private company occupying the post-offices for the purpose of operating this system.

If we go on, \$500,000 will put the pneumatic tubes into four or five cities only, and it will cost 3 per cent on \$16,000,000 for the use of these tubes. When you get them into the different cities of the country everywhere, you will find you have built up a corporation with a capital stock of two or three hundred million dollars, representing an expenditure of less than one-tenth of the amount which the people of this country are for all time to pay interest upon.

I know of no argument that can possibly be made to justify going ahead with this scheme. It seems to me it is a scheme. The company do not offer to sell it to the Government, and I, for my part, can not see how anyone can advocate the building up by piecemeal and without any system, this great balloon of watered stock and compel the people of the United States for all time to pay interest on it.

Mr. MASON. Mr. President, I want simply to correct the Senator. The suspicion of the Senator, with which we are all so familiar, does not really fit this case. Every one of these contracts provides the terms under which the Government may buy, and the Postmaster-General recommends in his report that no contract be made, either for existing or future service, which does not provide for the Government purchase of these tubes whenever it is deemed advisable by the Government to do so.

If the Senator will take the time to read the documents sent here, he will find that all the information he asks for is subject to his order. A report was submitted at the beginning of this Congress in which the whole thing is explained. I do not know of any other way of getting the matter before the Senate than to read that part of the report to which I refer. I want to save as much time as I can, and so I shall only read at present a small portion of the report. I want to give the Senator a chance to see what the report contains in regard to Chicago.

Chicago.—The report of the "joint committee" at Chicago indorses the local committee's report, and finds that the proposition of the Chicago Pneumatic Service Company is the most favorable to the Government of the four proposals received, and this involves the laying down of 8.78 miles of 8-inch tubes between the main office, three depots, and seven other stations. The estimated annual payment amounts to 10 per cent on the estimated costs of constructions, plus \$26,118 operating expense, a total of \$143,050.50.

The wagon service to-day costs over \$100,000, and the committee say that its cost will be largely reduced.

Mr. PETTIGREW. I should like to ask the Senator if the report does not show that in New York and in Boston the putting in of the tubes did not decrease the cost of the wagon service?

Mr. MASON. No; it shows that the cost did not decrease as much as it would have decreased if the service had been honestly administered. At Philadelphia they did decrease it largely, but as to the wagon service in New York it is different. There they

have their contract, and the Senator can understand the difference between making a contract for pneumatic-tube service and for wagon service. I admit that the wagon service has not been reduced as much as it ought to have been; but in the city of Philadelphia the wagon service was largely reduced, as I showed to the Senate a year ago when this matter was under discussion. I have forgotten what the percentage of reduction was, but certainly 30 or 40 per cent. But in New York they run wagons anyhow, and if the tubes break down the tube company have to furnish wagons to carry the mails which they otherwise would carry in the tubes.

Mr. PETTIGREW. As I understand it, the saving is only infinitesimal, for it is only a small part of the mail that can be carried in the pneumatic tubes. The great bulk of the mail—the second and third class mail—must be carried in wagons. The pneumatic-tube service really does not reduce the cost of the wagon service to any appreciable extent.

Mr. MASON. In some respects that is true, but that does not state all of the proposition. True, the mail which is carried through the tubes is light mail, but it is the most important mail, the first-class mail, that is intended to be carried in the tubes, and that is the class of mail matter that gains time in going from the post-office to the railroad stations. For instance, by means of the pneumatic tubes you may mail a letter at 8 or 9 o'clock in the morning to catch the fast morning mail for the West, to be delivered at its destination the next day, whereas if it should be delayed five, ten, or twenty minutes, by being sent in a wagon, it would fail to catch that train.

As I say, I can not furnish force pumps to get this information into the minds of Senators; but if they will take the time to read the report and the propositions of the men who are skilled in this business, they will find there has been a great reduction in the cost of the service, and there is a reduction in every proposition that is now made.

Mr. WOLCOTT. Will the Senator from Illinois permit me to ask him a question?

Mr. MASON. Certainly.

Mr. WOLCOTT. The Senator has again and again intimated that nobody but himself has ever read this report or knows anything about it.

Mr. MASON. I beg pardon of the Senator. I said nothing of the kind.

Mr. WOLCOTT. While the Senator is elucidating this matter, perhaps he will tell us what is meant on page 18 of the report where the joint committees say in the third series of figures as to the city of Chicago, "cost of construction estimated by company, \$769,325.24." The last column gives the cost of construction—

Mr. MASON. Where is that?

Mr. WOLCOTT. Let me get through, and then the Senator can ask his questions.

The "cost of construction estimated by committees" is \$740,025. In the first column, "competing proposition submitted but not recommended by joint committees," the amount is given at \$213,920, as against \$740,025 as the cost of construction. Will the Senator from Illinois kindly tell us why the joint committees did not recommend the proposition to build at \$213,920 as against one at \$740,025?

Mr. MASON. I do not yet see from what place the Senator is reading.

Mr. WOLCOTT. If the Senator will look at the third table on page 18, he will find the figures.

Mr. MASON. I only see one table marked "Table 1."

Mr. WOLCOTT. Let the Senator look at the third set of figures below that on page 18.

Mr. PETTIGREW. I fear the Senator from Illinois is not very familiar with the report. [Laughter.]

Mr. MASON. If you have any doubt about it, if you will listen, you will find possibly there are many things here that I do not know, and some possibly that I do know. I know this, that every intelligent man connected with the postal service of the country, who has investigated this matter, is in favor of it, and every man here in this body who claims the contrary, because he has not had time to inform himself upon the subject, is against it, refuses to vote for the amendment, and refuses to help Chicago while we are going on to give this service to the city of Boston. The plant is there, and no one wants to stop it. Everyone knows that the plant in New York is to be extended. The city of Chicago needs this service; she needs it as much for her own use as it is needed by other people who write letters to persons in the city of Chicago; and yet Senators simply sit back and say, "We have not had time to read the report of the Postmaster-General, and we do not know anything about it."

I say an amendment can be drafted which will cover every objection made by the Senator from Iowa. I am willing to limit the appropriation for Chicago to \$50,000.

Mr. WOLCOTT. May I ask the Senator a question?

Mr. MASON. Certainly; I am ready to hear you.

Mr. WOLCOTT. Will the Senator kindly answer the inquiry I have made?

Mr. MASON. Yes; I will endeavor to do so. You say the third list refers to the city of Chicago. As to that the joint committees report:

Competing proposition submitted, but not recommended by joint committees, \$213,920.

Cost of construction estimated by company, \$769,325.24.

Mr. WOLCOTT. Read from the last column, "Cost of construction estimated by committees."

Mr. MASON. The "Cost of construction estimated by committees" is given at \$740,025.

Mr. WOLCOTT. Now, will the Senator kindly tell me why the committees recommended \$740,025 instead of the competitor who offered to build for \$213,920?

Mr. MASON. Because the competitor offered an entirely different plan, as I understand. My information is that it was an overhead plan that was offered, and the estimate, I think, was \$213,920, but I am not sure.

Mr. WOLCOTT. I can not find anything about an overhead plan in the report.

Mr. MASON. I can find it for you.

Mr. WOLCOTT. In the report?

Mr. MASON. Yes. There are 250 pages of the report. My understanding of the matter is entirely different from that of the Senator. It was not the proposition made by this company to carry the tubes pneumatically, by compressed air.

Mr. THURSTON. I suggest to the Senator from Colorado that I see nothing in these figures as yet which justifies the statement that the \$213,920 named refers to the cost of construction of the competing plan. It does not say that.

Mr. WOLCOTT. What does it say?

Mr. THURSTON. One is "cost of construction estimated by company," and the other is "competing proposition submitted but not recommended by joint committees."

Mr. WOLCOTT. What is the difference?

Mr. THURSTON. That is not the cost, I should take it, unless there is something in the report to show that the competing proposition was to operate at so much a year.

Mr. MASON. That is involved in the report of the Assistant Postmaster-General. There are only two pages of that, which I ask the Secretary to read. I think that will give some information on the subject which will perhaps be useful.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

PNEUMATIC-TUBE SYSTEM FOR TRANSMISSION OF MAIL.

DECEMBER 20, 1900.

DEAR SIR: I have the honor to transmit herewith a full report of the investigation authorized by the act of Congress approved June 2, 1900, relative to the transmission of mail by pneumatic tubes. The investigation was conducted by the Second Assistant Postmaster-General under orders and instructions of the Postmaster-General. It was decided to give the investigation a threefold character.

1. Local investigation in each of the cities selected, to be conducted by the postmaster and the division superintendent of the Railway Mail Service whose district embraced the city selected, this latter official having supervision of the dispatch of the mails.

2. Joint review and revision of local reports by the local committee, assisted by the general expert committee representing the Department, who should visit the cities selected in order and have authority to employ expert local engineering talent, if necessary, secure estimates from pneumatic-tube companies, accompanied with plans, specifications, and other necessary data, and prepare such reports as could be signed by the members of the local and general committees.

Mr. THURSTON. Before the reading is continued further, I should like to call the attention of the Senator from Colorado [Mr. WOLCOTT] to the items which go to make up this \$213,920. They are to be found on page 195. They are the estimated cost of one year's operation, and do not include any items of construction at all. The Senator will see they are the same figures, and, as I stated, the table to which he has referred makes a clear distinction between one column, which is the column of the cost of construction, and the other column, which is the column of the proposition for operation.

Mr. MASON. I want to state also, before the reading goes on, that the proposition recommended by the Postmaster-General for Chicago involves only \$75,000, and that it is the cheapest proposition which has been made. I now desire to have the reading of the statement concluded.

The PRESIDING OFFICER. The reading will be resumed.

The Secretary resumed and continued the reading, as follows:

This was substantially the method which has uniformly been employed by this office when arranging for contracts under appropriations authorized by Congress.

3. Final review of all data collected by the Department as a result of its investigation by a committee of experts of national reputation, not connected with the Post-Office Department nor in any way interested with pneumatic-tube companies, and yet persons who, by reason of talent, education, and practical experience in dealing with questions of similar character, might be deemed specially fitted to give the most intelligent and impartial advice to

the Department and to Congress touching the practicability of the transmission of mail by pneumatic tube, the reasonableness or otherwise of the estimated expenditures needful for the installation and operation of the tubes, and in general the public utility of such a service as related to the expedition and proper handling of the great bulk of first-class mail in the large cities of the country in which the Government assumes a monopoly and permits no interference by private or corporate carrying companies, however progressive they may be. It is with great satisfaction that I invite attention to the very able report of this last committee of seven experts, one of whom especially represents the manufacturing interests of the country, another the mercantile, and five represent various schools of civil and mechanical engineering. One of the seven resides at Chicago, one at Baltimore, one at Ithaca, one at Philadelphia, two at New York, and one at large, a passed assistant engineer, United States Navy, temporarily stationed at New York.

This committee state that their report "is not merely a majority report, but that it is unanimous. No difference of moment regarding any of the conclusions reached exists among the members of the committee."

In the concluding section of this report, section 10, entitled "Résumé," the committee says:

"(1) This committee finds the pneumatic method of mail transportation a novel, a valuable, and a mechanically successful system, ingeniously elaborated, and practically adapted in an admirable manner to the purposes of the Post-Office Department.

"(2) The committee finds the system of immense advantage to the business interests of the country in its facilitation of mail transmission, both locally and generally, throughout the United States.

"(3) The cost of this advance in postal methods is found to be necessarily large, but yet to be productive of more than proportional advantage in the large cities.

"(4) The Government, through its responsible officials, should be the final judge of the extent of ultimate adoption.

"(5) The committee advises the retention of all existing plants, and would recommend extensions in a limited number of cases, as specified in the body of this report.

"(6) The cost of the pneumatic service is believed to be capable of some reduction, and of very considerable reduction with the further progress of improvement.

"(7) It is recommended that the contracts hereafter made should be based upon proposals including exact specifications in detail with all required maps and plans, and capable of precise verification by the expert advisers of the Government.

"(8) Ownership by the Government is considered desirable whenever the systems adopted have passed the experimental stage.

"(9) A correct system of estimation of a proper rental is advised, and an illustration of such a method is given.

"(10) Leasing is admissible under special conditions, described in a general way in the body of this report.

"(11) Systems adopted should be as far as practicable standardized, and in operation interchangeability of mail packages therein should be secured.

"(12) The system of rental on the basis of a stated percentage of construction cost is condemned.

"(13) The Post-Office Department should be given precedence in assignment of space in the United States public buildings where post-offices are located, when such space is needed for essential machinery and apparatus and their accessories.

"(14) Certain general principles, as specified in this report, should be adopted and adhered to in the decision of questions bearing upon the introduction of such improvements as are here discussed, and in extension and further improvements."

These conclusions are fortified by facts and figures, which are admirably arranged and presented in the body of this report and are substantially in accord with the previous recommendations and practice of this office.

The Postmaster-General's order No. 989, dated August 13, 1900, directed the manner in which this investigation should begin and be conducted by this office, and reads as follows:

"The act of Congress making appropriations for the service of the Post-Office Department approved June 2, 1900, authorizes and directs the Postmaster-General to investigate and report to Congress in relation to the pneumatic-tube service as follows:

"For the investigation by the Postmaster-General of the cost of construction, operation, and utility of all systems of pneumatic tubes for the transmission of mail, including full details and maps and any estimates and proposals as to cost of construction, as well as the cost of stations and their operation, and all facts bearing upon the use of said tubes in connection with the mail service, to enable Congress to determine whether the service should be owned, leased, extended, or discontinued by the Government; also the cost at which the Government may acquire existing plants or necessary patents, \$10,000."

"Investigations will be conducted in a few of the principal cities of the country, and in each of these cities the postmaster, assisted by the superintendent of the Railway Mail Service in whose division the city is located, will proceed at once to a careful local investigation as to the necessity for a pneumatic-tube service for the transmission of mails or for the proper extension of the same where it now exists, having special reference to the volume of mail passing between the points where the installation of the service may be recommended, the size of the tube deemed necessary for present and prospective demands of the postal service, the space that may be available at terminal points and intermediate stations for the installation of the plant, the most economical and practical system, both as regards installation and maintenance, and all other facts pertinent to the general investigation contemplated by Congress.

"It is not assumed that the local committee, constituted as above, will necessarily report favorably upon the installation of any system of pneumatic tubes, but they will, on the contrary, prepare their report with reference to the needs of the service and the best interests of the Government, giving due consideration to the question as to whether the carriage of mail by pneumatic tube or other similar devices should be recommended between any given points. These investigations may include the possible use of single lines of small tubes as feeders to the trunk lines, and the question as to whether additional postage could be collected on first-class matter transmitted through the tubes.

"As soon as the local committee has completed its investigations and is ready to submit a report the postmaster will notify the office of the Second Assistant Postmaster General, and as soon thereafter as convenient a general committee of experienced postal officials, representing the Department, will be sent on the ground to make a thorough review of the investigation and of the report, in connection with the local committee, and after reaching conclusions satisfactory to a majority of the members of the local and general committee a joint report will be prepared by them and forwarded to the Department, accompanied with maps, plans, and specifications, fully describing the service which may be recommended.

"Before submitting a report the joint committee in each case will consult, and if deemed necessary employ expert civil and mechanical engineers to as-

sist in the work, the authority for employment of experts having first been secured from the Department on a statement of cost.

"While it is desired that all information pertinent to the general investigation ordered by Congress may be secured through one or more of these local reports, to be signed by the joint committee, care should be taken to avoid any unnecessary repetition or duplication of general information.

"The members of the general committee will be advised at once of their selection and will hold themselves in readiness to take up the local reports when called upon by the office of the Second Assistant Postmaster-General in the order designated by him.

"It is desired that the work proceed with as little delay as possible and that the reports be filed in the Department at the earliest date practicable.

"The necessary expenses incurred in connection with these investigations under the post-office act will be paid out of the appropriation therein made for this purpose."

Complying with this order, the following 11 cities were designated for examination as to the necessity for pneumatic-tube service: Boston, New York, Brooklyn, Philadelphia, Washington, Cincinnati, Chicago, St. Louis, New Orleans, Denver, and San Francisco. These particular cities were selected, not because they were believed to offer as a whole the most favorable conditions for the installation of pneumatic-tube mail service, but because they were fairly representative, by reason of location and importance, of the entire number of cities (27 in all) referred to in the hearings before Congressional committees preceding the legislation authorizing an investigation.

The Department had in no wise committed itself to the policy of installing the pneumatic-tube service in all of these cities, but deemed it proper that investigations should be conducted in the eleven selected. It was thought that certain tests applied to them would be productive of like results if applied to other cities of the country similarly situated.

The local committees provided for in the above order were as follows:

For Boston, George A. Hibbard, postmaster; Edward J. Ryan, superintendent, Railway Mail Service. For New York, Cornelius Van Cott, postmaster; V. J. Bradley, superintendent, Railway Mail Service. For Brooklyn, Francis H. Wilson, postmaster; V. J. Bradley, superintendent, Railway Mail Service. For Philadelphia, Thomas L. Hicks, postmaster; V. J. Bradley, superintendent, Railway Mail Service. For Washington, John A. Merritt, postmaster; C. W. Vickery, superintendent, Railway Mail Service. For Cincinnati, Elias R. Monfort, postmaster; O. T. Holloway, superintendent, Railway Mail Service. For Chicago, Charles U. Gordon, postmaster; E. L. West, superintendent, Railway Mail Service. For St. Louis, F. W. Baumhoff, postmaster; Still P. Taft, superintendent, Railway Mail Service. For New Orleans, J. R. G. Pitkin, postmaster; L. M. Terrell, superintendent, Railway Mail Service. For Denver, J. C. Twombly, postmaster; Still P. Taft, superintendent, Railway Mail Service. For San Francisco, W. W. Montague, postmaster; H. P. Thrall, superintendent, Railway Mail Service.

Mr. THURSTON. I ask unanimous consent that this amendment and the point of order involved may go over until to-morrow morning, and that we may complete the rest of the bill.

The PRESIDING OFFICER. The Senator from Nebraska asks unanimous consent that the amendment and the point of order involved may go over until to-morrow morning. Is there objection?

Mr. WOLCOTT. If the postponement of the ruling upon the question of order in no sense prolongs the discussion on the bill, I can have no objection to it. If we can now go on with the bill and the other amendments, and then at the incoming of the Senate to-morrow, at the conclusion of the morning business, the matter can be called up for final discussion and decision, I shall be content. Will that be satisfactory?

Mr. THURSTON. That was my view in asking it.

Mr. WOLCOTT. If that is the understanding, I interpose no objection.

Mr. HALE. And we will go on with the rest of the bill.

Mr. WOLCOTT. We will go on with the rest of the bill.

The PRESIDING OFFICER. The Chair will state for the information of the Senator from Colorado that all amendments have been disposed of except this one, and when it is disposed of the bill will be in Committee of the Whole, and open to further amendment; but none has yet been offered.

Mr. WOLCOTT. We can by unanimous consent go on with the consideration of the other amendments now pending not committee amendments.

The PRESIDING OFFICER. Unanimous consent is asked that the pending amendment and the point of order in connection therewith go over until to-morrow morning. Is there objection? The Chair hears none, and it is so ordered.

Mr. SEWELL. In connection with the pending amendment in relation to pneumatic tubes, I desire, if any amendment is adopted, that the work shall be thrown open to the public. I offer the amendment I send to the desk, and ask that it may be referred to the Committee on Post-Offices and Post-Roads and printed.

Mr. BUTLER. Let it be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. At the end of line 6, page 16, it is proposed to insert:

Provided, That all contracts hereafter to be made shall first be advertised publicly for proposals in the manner now provided by law for advertising contracts for carrying mails, and shall only be made after and upon the approval of a board of three engineers, one of whom shall be appointed by the Secretary of the Treasury from the Treasury Department, one by the Secretary of the Navy from the Navy Department, and one by the Postmaster-General, who shall be some engineer known for skill and experience in such matters: And provided further, That all contracts hereafter to be made shall contain a stipulation that the United States may acquire, by purchase, any system constructed or to be constructed under such contract, upon the payment to the owner of such system of the value thereof, to be determined by a board of three appraisers, one of whom shall be selected by such owner, another to be appointed by the Postmaster-General, and the third by mutual agreement, or, in case of disagreement, by the judge of the district court of the United States for the district in which such system is located. Said appraisers in determining such price shall award and determine the actual structural value of said system, considering the use for which the same was designed, and may also take into account the earning power of such system.

Mr. BUTLER. I should like to know if that is an amendment proposed to the pending bill?

Mr. WOLCOTT. Yes; but it goes over.

Mr. BUTLER. Does it come in on page 16?

Mr. SEWELL. It comes in after the present clause in relation to pneumatic tubes, if it is adopted.

Mr. WOLCOTT. Let it go over and be printed.

Mr. BUTLER. Mr. President, I offer an amendment, to come in on page 17, line 2.

The PRESIDING OFFICER. The Senator from North Carolina offers an amendment, which will be stated.

The SECRETARY. On page 17, line 2, strike out the words "thirty-four million seven hundred thousand dollars" and insert in lieu thereof:

Thirty-two million dollars; and the Postmaster-General is hereby authorized and directed to readjust the compensation to be paid from and after the 1st day of July, 1901, for the transportation of mails on railway routes by reducing the compensation to all railroad companies for the transportation of mails 5 per cent per annum from the rate fixed in section 4002 of the Revised Statutes as amended by the act of July 12, 1876, and as further amended by the act of June 17, 1878, for the transportation of mails on the basis of the average weight; and also to further reduce such compensation on weights in excess of 5,000 pounds daily per mile of line in accordance with the following schedule:

One per cent on roads now receiving from 16.50 cents to 20 cents per ton per mile; 2 per cent on roads now receiving from 14 cents to 16.51 cents per ton per mile; 3 per cent on roads now receiving from 12.31 cents to 14 cents per ton per mile; 4 per cent on roads now receiving from 11.25 cents to 12.31 cents per ton per mile; 5 per cent on roads now receiving from 10 cents to 11.25 cents per ton per mile; 6 per cent on roads now receiving from 9.21 cents to 10 cents per ton per mile; 7 per cent on roads now receiving from 8.81 cents to 9.21 cents per ton per mile; 8 per cent on roads now receiving from 8.41 cents to 8.81 cents per ton per mile; 9 per cent on roads now receiving from 8.10 cents to 8.41 cents per ton per mile; 10 per cent on roads now receiving from 7.67 cents to 8.10 cents per ton per mile; 11 per cent on roads now receiving from 7.34 cents to 7.67 cents per ton per mile; 12 per cent on roads now receiving from 7 cents to 7.34 cents per ton per mile, and the above amount appropriated shall cover full compensation for railway mail transportation.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from North Carolina.

[Mr. BUTLER addressed the Senate. See Appendix.]

Mr. PETTIGREW. If the Senator from North Carolina will yield to me, I make the point that there is no quorum present. I think this is an important matter, and I think we ought to know whether this mail pay is not a greater subsidy than is proposed by the ship-subsidy bill.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator from South Dakota makes the point that there is no quorum present. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Cullom,	McEnery,	Simon,
Allison,	Daniel,	Martin,	Spooner,
Bacon,	Depew,	Mason,	Stewart,
Bate,	Dillingham,	Morgan,	Sullivan,
Berry,	Fairbanks,	Nelson,	Teller,
Burrows,	Gallinger,	Pettigrew,	Tillman,
Butler,	Hanna,	Pettus,	Turley,
Caffery,	Hawley,	Platt, Conn.	Vest,
Carter,	Jones, Ark.	Pritchard,	Warren,
Chandler,	Kean,	Quarles,	Wetmore,
Clay,	Kearns,	Sewell,	Wolcott,
Cockrell,	McComas,	Shoup,	

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. A quorum is present. The Senator from North Carolina [Mr. BUTLER] is entitled to the floor.

Mr. BUTLER. Mr. President—

Mr. WOLCOTT. I hope the Senator will proceed, so that we can go on with the bill until 6 o'clock and then take an adjournment until to-morrow, if that be satisfactory to him.

Mr. BUTLER. I shall not be able to finish to-night.

Mr. WOLCOTT. I understand that; but will the Senator be willing to proceed until 6 o'clock, then let the bill go over until to-morrow, and take an adjournment? I think that will facilitate the passage of the bill. We have a quorum present.

Mr. SEWELL. I ask the Senator from North Carolina, in case he is not going to finish his remarks this evening, if he will allow me to secure final action on the Military Academy appropriation bill? I think it will only take a few minutes.

Mr. BUTLER. I was just going to say that when the question of no quorum was raised I was calling attention to testimony which, to my mind, shows that the Senator from Colorado [Mr. WOLCOTT], who was chairman of the Postal Commission, was incorrect in the statement he had just made, and that caused some Senators to think that the Senator from Colorado and other Senators ought to be here. It has been suggested to me that we might postpone future discussion of this bill until to-morrow morning. That would be agreeable to me. At this hour—near 6 o'clock—I know it is difficult to keep a quorum.

I am anxious that as many Senators should be present as possible, and I think Senators interested in this question would like to be present. Therefore I ask the chairman of the committee if he will allow the bill to go over until to-morrow morning?

Mr. WOLCOTT. Acting on the suggestion of the Senator from North Carolina, I am willing that he shall finish his discussion of the bill to-morrow; and after listening to what the Senator from New Jersey [Mr. SEWELL] desires to say, I shall move an executive session.

Mr. BUTLER. That will be satisfactory to me.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. SEWELL. I call up the report of the committee of conference on the Military Academy appropriation bill. The report has been read, and was printed at the suggestion of several Senators. I think there can be no possible objection to it now.

The PRESIDING OFFICER. The Chair lays before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12846) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1902. The question is on agreeing to the conference report.

Mr. DANIEL. Has the conference report been read, Mr. President?

The PRESIDING OFFICER. The Chair is informed that the report has heretofore been read.

Mr. DANIEL. Mr. President, I observe in the newspaper account of this conference report—the Senator from New Jersey [Mr. SEWELL] will correct me if the account is mistaken—that it recommends that a cadet at the Westpoint Military Academy who might be dismissed for hazing should be disfranchised from ever holding a commission in the Army of the United States.

I believe for the Congress of the United States to adopt so extreme and cruel a punishment for such a cadet would be worse than hazing, and that it would be a worse offense against the law than that which it interdicts.

Mr. SEWELL. I will say to the Senator that the Senate has already adopted that clause.

Mr. ALLISON. It was in the bill as it passed the Senate.

Mr. SEWELL. Yes.

Mr. DANIEL. And it is in the conference report?

Mr. SEWELL. Yes; but, as I have stated, it was provided in the bill as it originally passed the Senate that a cadet found guilty by a court-martial of this offense should be so punished.

Mr. DANIEL. That does not change my opinion of it.

Mr. SEWELL. The provision was that such a cadet should not only be dismissed the service, but should be ineligible for further appointment in the Army, Navy, or Marine Corps.

Mr. DANIEL. He is to be disfranchised for life because of some hazing at Westpoint. I do not think Congress has a right to disfranchise a man for life without the commission of some crime to which such a punishment is attached as a penalty. I think it is an extreme and gross invasion of the principles of personal right, to which I could never give my assent.

I do not mean any disrespect to any gentleman who differs with me in expressing myself thus strongly, and I hope my words will not be taken as in any respect offensive to any gentleman who may disagree with me; but this is an extreme and cruel punishment, in my judgment, for Congress to attempt to inflict upon a young man at school for something that may not have been very gross in itself. The rules of the Academy are very rigid. I do not know that there is any definition in law or definition in the statutes as to what hazing may be; but in this report a petty offense, not malum in se, involving no moral dereliction, the freak of youth, is treated as if it were some high crime, worthy of following and shadowing his whole life.

It seems to me, Mr. President, for wise and sedate lawmakers, men who have had large experience with affairs of the world, who have gone through the hard knocks of the world and know something of what it is, to attempt to visit so harsh a judgment upon young men who may be in their teens is a worse offense upon their part than the offense which it seeks to condemn and hold up to perpetual public opprobrium and to disfranchisement. There is no cure for so tremendous a visitation of judgment upon the head of a youth at the Westpoint Military Academy.

I have no doubt that at the Westpoint Military Academy, and at other academies in this country, young men have gone too far in the liberties they have taken with others. I believe that rigid discipline should be applied to them, and that they should be held up to greater moderation in their frolicsome spirit; but it does not call, Mr. President, for so condign a punishment as this. This will revolt the good sense of the country; it will arouse indignation in the breasts of the young men instead of being regarded by them as a suitable and just punishment meted out with due consideration of the act punished.

It seems to me, sir, it will be a stain upon the statute books of the United States to say that because a youth at Westpoint has gone too far in tampering with his comrades, or even in some frolicsome mistreatment of his comrades, he shall never hold a commission in the Army or Navy of the United States or in the Marine Corps, however good he may become and however worthily and firmly his character may be established.

Why, Mr. President, some of the worst boys I have ever known have turned out to be the best men. We ought not to forget that we have been boys once. This is an utter disregard of the rules and the history of human nature. You do not improve anybody, you do not improve the morals of society, you do not improve the temper in which men approach any subject which they discuss, by getting mad, and going and visiting some extreme, harsh penalty upon a whole class in a moment when public attention has been called to the matter, and when there is some public indignation over a particular case here and there which may have merited it.

States are not governed, armies are not disciplined, boys are not trained up to become noble and just and law-abiding men by any such visitation upon them. I would not vote for any bill which had such a provision in it, nor vote to confirm any conference report which sought to mete out so ill measured a penalty upon such an offense.

I hope, if there is any attempt to pass this bill with that provision in it, that a new conference may be held; and, if I could, I would instruct the conferees of the Senate to insist upon the expurgation of that clause of this bill from it. I do not wish to detain the Senate a moment further in the midst of the crush of matters which now engage its attention.

Mr. BUTLER. Will the Senator from Virginia pardon me a moment?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from North Carolina?

Mr. DANIEL. I have finished.

Mr. BUTLER. I am very much in sympathy with the views the Senator from Virginia has expressed, and shall myself have something to say about this matter. It is very evident that we can not dispose of the conference report to-night, and I ask the Senator from New Jersey to let it go over until to-morrow.

Mr. SEWELL. Mr. President—

Mr. PETTUS. I hope the Senator from New Jersey and the Senator from North Carolina will allow me to say a word about the very question which the Senator from Virginia [Mr. DANIEL] has so well discussed.

Mr. BUTLER. I want it to go over.

Mr. WOLCOTT. I will ask the Senator from Alabama if he would not prefer to say what he has to say to-morrow, and let the report go over?

Mr. PETTUS. Very well.

Mr. WOLCOTT. I will ask that the conference report go over until to-morrow, if the Senator from New Jersey does not object.

Mr. SEWELL. If the conference report is to lead to further debate, I will consent that it go over until to-morrow.

EXECUTIVE SESSION.

Mr. WOLCOTT. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 19, 1901, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate February 18, 1901.

EXAMINER OF DRUGS, ETC.

William H. Parker, of Massachusetts, to be special examiner of drugs, medicines, and chemicals in the district of Boston and Charlestown, in the State of Massachusetts, to succeed Erastus Hopkins, resigned.

PROMOTION IN THE NAVY.

Lieut. Commander Theodor Porter, to be a commander in the Navy from the 29th day of January, 1901, vice Commander Franklin Hanford, promoted.

TO BE ASSISTANT SURGEONS OF VOLUNTEERS WITH THE RANK OF CAPTAIN.

George W. Daywalt, of California (acting assistant surgeon, United States Army), February 14, 1901.

Frederick C. Jackson, of Ohio (acting assistant surgeon, United States Army), February 14, 1901.

ARMY OF THE UNITED STATES.

ORDNANCE DEPARTMENT.

Capt. Rogers Birnie, Ordnance Department, to be major, February 7, 1901, vice Dutton, retired from active service.

CORPS OF ENGINEERS.

To be captains.

First Lieut. John S. Sewell, Corps of Engineers, February 2, 1901, to fill an original vacancy.

First Lieut. James F. McIndoe, Corps of Engineers, February 2, 1901, to fill an original vacancy.

First Lieut. Jay J. Morrow, Corps of Engineers, February 2, 1901, to fill an original vacancy.

ORDNANCE DEPARTMENT.

To be major.

Capt. Andrew H. Russell, Ordnance Department, February 2, 1901, vice Butler, promoted.

To be captain.

First Lieut. Tracy C. Dickson, Ordnance Department, February 2, 1901, vice Whipple, retired from active service.

SIGNAL CORPS.

To be majors.

Capt. George P. Scriven, Signal Corps, February 2, 1901 (subject to examination required by law), to fill an original vacancy.

Capt. William A. Glassford, Signal Corps, February 2, 1901, to fill an original vacancy.

Capt. Joseph E. Maxfield, Signal Corps, February 2, 1901, to fill an original vacancy.

CAVALRY ARM.

To be majors.

Capt. Daniel C. Pearson, Second Cavalry, February 2, 1901, to fill an original vacancy.

Capt. Herbert E. Tutherly, First Cavalry, February 2, 1901 (subject to examination required by law), to fill an original vacancy.

Capt. Luther R. Hare, Seventh Cavalry, February 2, 1901, to fill an original vacancy.

To be captains.

First Lieut. Jesse McL. Carter, Fifth Cavalry, February 2, 1901, vice Fountain, Eighth Cavalry, promoted.

First Lieut. Harry G. Trout, Second Cavalry, February 2, 1901, vice Pearson, Second Cavalry, promoted.

ARTILLERY CORPS.

To be majors.

Capt. Walter Howe, Artillery Corps, February 2, 1901, vice Burbank, promoted.

Capt. Peter Leary, jr., Artillery Corps, February 2, 1901, vice Mills, promoted.

Capt. Ephraim T. C. Richmond, Artillery Corps, February 2, 1901, to fill an original vacancy.

Capt. Ramsay D. Potts, Artillery Corps, February 2, 1901, to fill an original vacancy.

To be captains.

First Lieut. Charles T. Menoher, Artillery Corps, February 2, 1901, vice Caziarc, promoted.

First Lieut. T. Bentley Mott, Artillery Corps, February 2, 1901, vice Rogers, retired from active service.

First Lieut. Gustave W. S. Stevens, Artillery Corps, February 2, 1901, vice Howe, promoted.

First Lieut. Richmond P. Davis, Artillery Corps, February 2, 1901, vice Leary, promoted.

First Lieut. Ernest Hinds, Artillery Corps, February 2, 1901, vice Richmond, promoted.

First Lieut. Wirt Robinson, Artillery Corps, February 2, 1901, vice Van Ness, retired from active service.

First Lieut. George F. Landers, Artillery Corps, February 2, 1901, vice Potts, promoted.

INFANTRY ARM.

To be major.

Capt. George H. Roach, Seventeenth Infantry, February 2, 1901, vice Noble, Twenty-fifth Infantry, promoted.

To be captains.

First Lieut. John S. Switzer, Fourth Infantry, February 2, 1901, vice Hewitt, Nineteenth Infantry, retired from active service.

First Lieut. Herbert O. Williams, Twenty-first Infantry, February 2, 1901, vice Clagett, Eleventh Infantry, promoted.

First Lieut. George D. Guyer, Sixteenth Infantry, February 2, 1901, vice Crane, Twenty-fourth Infantry, promoted.

First Lieut. William F. Grote, Eighteenth Infantry, February 2, 1901, vice Bailey, Fifth Infantry, promoted.

First Lieut. William H. H. Chapman, Twenty-fifth Infantry, February 2, 1901, vice Paulding, Tenth Infantry, promoted.

PROMOTIONS IN THE MARINE CORPS.

First Lieuts. Philip S. Brown, John F. McGill, Louis M. Gulick, David D. Porter, and Arthur J. Matthews, to be captains in the United States Marine Corps from the 23d day of July, 1900, to fill vacancies existing in that grade.

Second Lieuts. Herbert J. Hirshinger, Henry D. F. Long, Harry R. Lay, Charles C. Carpenter, Charles B. Taylor, Alexander S. Williams, Fred M. Eslick, Louis McC. Little, John G. Muir, and Frederic M. Wise, jr., to be first lieutenants in the United States Marine Corps, from the 23d day of July, 1900, to fill vacancies existing in that grade.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 18, 1901.

PROMOTIONS IN THE ARMY.

MEDICAL DEPARTMENT.

Lieut. Col. Peter J. A. Cleary, deputy surgeon-general, to be assistant surgeon-general, with the rank of colonel, February 4, 1901.

Maj. Charles B. Byrne, surgeon, to be deputy surgeon-general, with the rank of lieutenant-colonel, February 4, 1901.

CAVALRY ARM.

To be first lieutenants.

Second Lieut. Charles T. Boyd, Fourth Cavalry, February 2, 1901.

Second Lieut. Henry C. Whitehead, Tenth Cavalry, February 2, 1901.

APPOINTMENTS IN THE VOLUNTEER ARMY.

To be assistant surgeons of volunteers with the rank of captain.

Harry A. Littlefield, of Oregon, late acting assistant surgeon, United States Army, February 9, 1901.

Frederick W. Cox, of South Dakota, late captain and assistant surgeon, First South Dakota Volunteers, February 9, 1901.

Gerry S. Driver, of the District of Columbia, acting assistant surgeon, United States Army, February 9, 1901.

Justus M. Wheate, of Indiana (acting assistant surgeon, United States Army), February 11, 1901.

Francis M. McCallum, of Kansas (acting assistant surgeon, United States Army), February 11, 1901.

APPOINTMENT IN THE REVENUE-CUTTER SERVICE.

Michael N. Usina, of Georgia, to be a second assistant engineer in the Revenue-Cutter Service of the United States.

POSTMASTERS.

W. H. Marston, to be postmaster at Fitzgerald, Irwin County, Ga.

Kate Helmick, to be postmaster at Thomas, Tucker County, W. Va.

HOUSE OF REPRESENTATIVES.

MONDAY, February 18, 1901.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of Saturday's proceedings was read and approved.

JAMES A. THOMAS.

Mr. LOUDENSLAGER. Mr. Speaker, I desire to present a conference report upon the bill (S. 2432) granting an increase of pension to James A. Thomas, and I ask that the statement be read and that the reading of the report be dispensed with.

The SPEAKER. The gentleman from New Jersey asks that the reading of the report be dispensed with and that the statement be read. Without objection that will be done.

There was no objection.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill S. 2432, "An act granting an increase of pension to James A. Thomas," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to an amendment as follows: Strike out the matter inserted by said amendment, and, in line 8, strike out the words "of \$45 per month," and insert in lieu thereof the words "to which his disability on account of loss of left arm may entitle him under the act of August 4, 1886," and the House agree to the same.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
J. F. STALLINGS,
Managers on the part of the House.
J. H. GALLINGER,
GEO. L. SHOUP,
JAS. P. TALIAFERRO,
Managers on the part of the Senate.

The Clerk read the statement, as follows:

HOUSE OF REPRESENTATIVES, February 15, 1901.

The managers on the part of the House in the conference on the disagreeing votes of the two Houses on Senate bill No. 2432, granting an increase of pension to James A. Thomas, report that the Senate passed the bill at \$45 per month and the House amended it to \$35 per month. At the conference the Senate receded from its disagreement to the House amendment, and the conferees agreed to the following amendment:

In line 8 strike out the words "of \$45 per month" and insert in lieu thereof the words "to which his disability on account of loss of left arm may entitle him under the act of August 4, 1886."

H. C. LOUDENSLAGER,
J. H. BROMWELL,
J. F. STALLINGS,
Managers on the part of the House.

The conference report was agreed to.

CENTENNIAL CELEBRATION OF THE LOUISIANA PURCHASE.

Mr. TAWNEY. Mr. Speaker, by direction of the Special Committee on the Centennial of the Louisiana Purchase I move to suspend the rules and to take up the bill (H. R. 9829) to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea in the city of St. Louis, in the State of Missouri.

I ask that the amendment by the way of a substitute be read in place of the original bill.

The SPEAKER. The gentleman from Minnesota, the chairman of the Special Committee on the Centennial of the Louisiana Purchase, by direction of that committee, moves to suspend the rules and put upon its passage the bill H. R. 9829, with an amendment recommended by the committee. Is a second demanded?

Mr. MOODY of Massachusetts and Mr. MADDOX. I demand a second.

Mr. TAWNEY. I ask that a second be considered as ordered.

The SPEAKER. The gentleman from Minnesota asks that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Minnesota will be recognized in favor of the bill and the gentleman from Georgia in opposition. The Clerk will read the bill as amended. The Chair will ask the gentleman from Minnesota if this amendment is by way of a substitute?

Mr. TAWNEY. By way of a substitute, and I ask that the substitute be read.

The SPEAKER. Without objection, the amendment will be read by way of substitute, and not the original bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That an exhibit of arts, industries, manufactures, and products of the soil, mine, forest, and sea shall be inaugurated in the year 1903, in the city of St. Louis, in the State of Missouri, as herein provided.

SEC. 2. That a nonpartisan commission is hereby constituted, to consist of nine commissioners, to be known and designated as the "Louisiana Purchase Exposition Commission," who shall be appointed, within thirty days from the passage of this act, by the President of the United States, and who shall also be subject to removal by him. Vacancies in said commission to be filled in the same manner as original appointments.

SEC. 3. That the commissioners so appointed shall be called together by the Secretary of State of the United States, in the city of St. Louis, by notice to the commissioners, as soon as convenient after the appointment of said commissioners, and within thirty days thereafter. The said commissioners, at said first meeting, shall organize by the election of their officers, and they may then, or thereafter, appoint such executive or other committees as may be deemed expedient, and a secretary at a salary of \$3,000 per annum; that in addition to the salary of the secretary of said commission there is hereby allowed, out of any money appropriated to aid in carrying forward said exposition, the sum of \$10,000 per annum, or so much thereof as may be necessary, for the purpose of defraying the clerical, office, and other necessary expenses of said commission.

SEC. 4. That said commission, when fully organized under the provisions of this act, shall appoint two of their number to act in conjunction with a like number appointed by the Louisiana Purchase Exposition Company, to constitute a board of arbitration, to whom all matters of difference arising between said commission and said company concerning the administration, management, or general supervision of said exposition, including all matters of difference arising out of the power given by this act to the said company or to the said national commission to modify or approve any act of the other of the two bodies, shall be referred for determination; and in the case of the failure of said board of arbitration to agree upon such matters as may be so referred, said board of arbitration shall appoint a fifth member thereof; and in case of the failure of the said board to agree upon a fifth member, such fifth member shall then be appointed by the Secretary of the Treasury; and the decision of said board shall be final in all matters presented to it for consideration and determination.

SEC. 5. That said commission be empowered, in its discretion, to accept, for the purposes of the exposition herein authorized, such site as may be selected and offered, and such plans and specifications of buildings for such purpose at the expense of and tendered by the corporation organized under the laws of the State of Missouri known as "The Louisiana Purchase Exposition Company."

SEC. 6. That the allotment of space for exhibitors, classification of exhibits, plan and scope of the exposition, the appointment of all judges and examiners for the exposition, and the awarding of premiums, if any, shall all be done and performed by the said Louisiana Purchase Exposition Company, subject, however, to the approval of the commission created by section 2 of this act; and said commission is hereby authorized to appoint a board of lady managers, of such number and to perform such duties as may be prescribed by said commission, subject, however, to the approval of said company. Said board of lady managers may, in the discretion of said commission and corporation, appoint one member of all committees authorized to award prizes for such exhibits as may have been produced in whole or in part by female labor.

SEC. 7. That after the plans for said exposition shall be prepared by said company and approved by said commission the rules and regulations of said corporation governing rates for entrance and admission fees, or otherwise affecting the rights, privileges, or interests of the exhibitors, or of the public, shall be fixed or established by said company, subject, however, to the modification or approval of said commission.

SEC. 8. That said commission shall provide for the dedication of the buildings of the Louisiana Purchase Exposition, in said city of St. Louis, not later than the 30th day of April, 1903, with appropriate ceremonies, and thereafter said exposition shall be opened to visitors at such time as may be designated by said company, subject to the approval of said commission, not later than the 1st day of May, 1903, and shall be closed at such time as the national commission may determine, subject to the approval of said company, but not later than the 1st day of December thereafter.

SEC. 9. That whenever the President of the United States shall be notified by the national commission that provision has been made for grounds and buildings for the uses herein provided for he shall be authorized to make proclamation of the same, through the Department of State, setting forth